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As a Memorial
To her Brother
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PUBLICATIONS
OF THE
NORTH CAROLINA HISTORICAL COMMISSION

The
Beginnings of Public Education
in North Carolina

A DOCUMENTARY HISTORY
1790-1840

BY
CHARLES L. COON

VOLUME II

RALEIGH
Edwards & Broughton Printing Company
1908

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1. ASSEMBLY COMMITTEES ON EDUCATION.

William W. Cowper, Gates; William P. Williams, Senate.
Franklin; James Rhodes, Wayne; James Kerr, Caswell;
Jonathan Parker, Guilford; William Parham, Haywood;
Edward C. Gavin, Sampson; Lewis Disbrough, Onslow.

—*Senate Journal, 1832-33, pp. 8-9.*

Samuel T. Sawyer, Edenton; John W. Potts, Edge- House.
combe; Thomas Hill, New Hanover; Duncan McLaurin,
Richmond; Littleton A. Gwyn, Caswell; James Dougherty,
Mecklenburg; Daniel W. Courts, Surry; John R. J.
Daniel, Halifax county; James Harper, Greene; John C.
Ridley, Granville; Thomas J. Faddis, Hillsborough; Hugh
McQueen, Chatham; Asmy B. Irvine, Rutherford.

—*House Journal, 1832-33, p. 142.*

Gov. Stokes, in his message to the Legislature of 1832-33, does not mention the subject of education.

2. CENTRAL NORMAL SCHOOL PROPOSED.

Resolution of inquiry.

Resolved that the Committee on Education and the Literary Fund be instructed to inquire into the expediency of establishing by law a central school, in the State of North Carolina for the purpose of educating and preparing instructors of elementary schools for their profession, and that they report by bill or otherwise.¹

Clerk's entry: In Senate 22nd Nov. 1832. Read and adopted.

—*Senate Journal, 1832-33, p. 10.*

¹ Introduced by Bridger T. Montgomery, Hertford.

Committee report fund not available; unwise to make any application of the fund.

The Committee on Education and the Literary Fund to whom was referred, a resolution to enquire into the expediency of establishing by Law a central school in the State of North Carolina for the purpose of educating and preparing instructors of elementary schools for their profession, Beg leave to report that the fund set apart for that purpose, has been too frequently used by the State and is not now available, that your committee deem it unwise at present to make any application of it, and your committee recommend that so soon as the State shall be able to return the fund that your Treasurer shall have power to vest said fund in some good stock whereby the interest may be secured and with the annual income which may be fairly estimated at eight thousand dollars, \$8000, and if interest can be secured also upon about ninety thousand dollars of which the State owes a part to said fund, your Committee are of the opinion that in a very few years the fund will become sufficient to realize all the benefits heretofore contemplated, but a present application of it would be to defeat the whole scheme. All of which is respectfully submitted.

W. P. WILLIAMS, Chm.

Annual income of the fund stated.

—Clerk's entry on above report: In Senate 4th of Jan. 1833. Read and concurred in.

—*Unpublished Legislative Documents, 1832.*

3. TEACHERS AND STUDENTS NOT EXEMPT FROM MILITIA DUTY.

A Bill to exempt Teachers and Students of all Literary Schools from Militia duty. Exemption for teachers and students from militia duty.

Be it enacted by the General Assembly of the State of North Carolina and it is hereby enacted by the authority of the same, That all Teachers and Students of all and every School of Literary instruction and Education in this State be and they are each of them from and after the passage of this act exempt from performing militia duties except in cases of insurrection, rebellion or invasion. Any law, usage or custom to the contrary notwithstanding.

Clerk's entries on above bill: In House of Commons Bill fails.
Dec. 6. 1832 Read 1st time and passed.

In House of Commons 12th Dec. 1832 read and on motion of Mr. Parker referred to the Com: on Education.

In House of Commons Jan. 5. 1833 Read 2d time and rejected.

The Committee on Education to whom was referred a "Bill to exempt Teachers and Students of Literary Schools from militia duty" have had the same under consideration and report it to the house and recommend its passage. Favorable committee report.

S. T. SAWYER, *Chr.*

—*Unpublished Legislative Documents, 1832.*

4. RALPH FREEMAN MUST NOT PREACH.

State of North Carolina, Montgomery County.

To the Honourable the General Assembly:

Petition that Ralph
Freeman be per-
mitted to preach.

We the under signed your petitioners who mostly are residents of the County aforesaid do Humbly represent to your Honourable body that by an act passed at the last session of your Body, restraining free persons of colour from preaching the Gospel, you have deprived us your Humble petitioners of a right which we have heretofore deemed a Verry important one as we live in a Verry sparce, or thin populated part of our County and as Clergemen of our denomination are scarce, we pray your honourable body to repeal the said act, or so much thereof as will permit Ralph Freeman a freeman, of collor, to preach the Gospel among us still as he has done heretofore for the Last forty years or there about we as in duty bound will ever pray etc.

Freeman a
preacher 40 years.

Octbr. 22nd, 1832.

Certificate of good
character.

We the under Signed, do hereby Certify That we have been acquainted with Ralph Freeman for a Number of years and his ministry and believe him an orderly person and a Gospel preacher¹.

REV. GEORGE LITTLE
REV. EZEKIEL MORTON
REV. THOMAS PHILIPS.

Favorable commit-
tee report.

The Committee on Propositions and Grievances to whom was referred the petition of sundry citizens of the County of Montgomery, praying that Ralph Freeman, a free person of colour, may be allowed to preach, having considered the same have directed me to

¹ This memorial is signed by ninety-six other persons.

REPORT,

The following Bill and recommend its passage into a law, because it appears to the Committee that Freeman is an old and much esteemed preacher of the Gospel, residing in a very thinly populated neighborhood, the inhabitants of which have but seldom the opportunity of hearing white preachers.

JOS. W. TOWNSEND, *Chm.*

Be it enacted by the General Assembly of the State of North Carolina and it is hereby enacted by the authority of the same, that Ralph Freeman, a free person of colour residing in the County of Montgomery be exempted from the operation of the act of 1831 Chap. IV., entitled "An act for the better regulation of the conduct of negroes, slaves and free persons of colour," so far as it prohibits the said Freeman from preaching or exhorting and that the said Freeman be permitted to preach or exhort in any congregation where five respectable white men are present and not otherwise.

In House of Commons Dec. 14. 1832 Read 1 time and passed. Bill to exempt Freeman.
Bill fails in the House.

In House of Commons Dec 21. 1832 On motion of Mr. Sumner indefinitely postponed.

—*Unpublished Legislative Documents, 1832.*

5. SLAVES MUST NOT PREACH IN PUBLIC.

County Courts to
grant license to
slaves and free-
negroes to preach.

Be it enacted by the General Assembly of the State of North Carolina and it is hereby enacted by the authority of the same:

That the Courts of Pleas and Quarter Sessions within the several counties in this State, a majority of the acting Justices being present shall have full power and authority to secure and grant leave to any slave or free person of colour to Preach, Pray or Exhort (as the case may be) in Public within the limits of the County in which such law is granted for the term of one year next ensuing: Provided, however, that the court shall not have power to grant such leave, unless it be upon the presentation of a petition to the Court by some religious society by which the applicant for a license is a regular member in good standing.

And be it further enacted, That this act shall be in force from and after its ratification, any law, usage or custom to the contrary notwithstanding.

Counties exempt.

Be it further enacted—, That the provisions of this act shall not extend to, interfere with, or apply in any way to the Counties of New Hanover, Bertie, Camden, Onslow¹.

Bill fails.

In House of Commons 10—Dec. 1832 read the first time and passed and referred to the Com. on Judiciary.

In House of Commons Jan 7. 1833 on motion of Mr. Outlaw postponed until 4th of March.

—*Unpublished Legislative Documents, 1832.*

¹ Introduced by John S. Guthrie, of Chatham.

6. RECEIPTS OF LITERARY FUND.

The balance of cash remaining in the hands of the Public Treasurer, as Treasurer of this Fund to the 1st of November 1831, as reported to the General Assembly of that year, was..... \$75,025,96½

The receipts at the Treasury of money belonging to this Fund, from the 31st day of October, 1831, to the 1st day of November 1832, amount to thirteen thousand one hundred and thirty-nine dollars and sixty-five cents, and consist of the following sums, viz.

Cash received for Entries of Vacant Land	7,898.72
Ditto for Tax on Sales at Auction received of sundry auctioneers	570.57
Ditto for Tavern Tax received of Sheriffs	2632.00
Ditto State Bank of North Carolina for dividends on 282 shares of stock (owned by the President and Directors of this Fund) at 2 per cent. for the half year ending Dec. 1831	564.00
Ditto—Ditto—dividends on the above shares for the half year ending June, 1832....	564.00
Ditto Roanoke Navigation Company for dividends on 500 shares of stock (appropriated to this Fund) at one and three quarters per centum, declared Nov. 1831...	875.00

Ditto for Tax on Fairs held in Richmond County per Act of Assembly of 1830.....	26 36	
		13,139.65

Making when added to the balance above
stated, the amount of..... 88,165.61½

There has been no expenditure from this fund during
the year.

—*From Report of Public Treasurer, 1832.*

7. USE OF LITERARY FUND BY STATE.

Frequent drafts on the Literary Fund, to supply the deficiency of the Public Fund, have been made during the past year, and the cash replaced so soon as the receipt of the tax of 1831 afforded the means. The following statement shows the amount which the *Public* stood indebted to the *Literary Fund*, at each monthly settlement after the former became exhausted:

On the 1st of January 1832, there had been used of the				Fund frequently used.
Literary Fund			\$2,937.20	When used ; amount used.
February	do.	do.....	51,271.68½	
March	do.	do.....	52,913.25½	
April,	do.	do.....	52,766.05½	
May,	do.	do.....	58,380.11½	
June,	do.	do.....	60,823.92½	
July,	do.	do.....	60,455.30½	
August,	do.	do.....	64,339.88½	
September,	do.	do.....	56,762.66½	
October,	do.	do.....	5,198.42½	

In the course of the month of October, the balance was entirely discharged. The use which is thus made of the cash belonging to this fund, excludes the possibility of carrying into effect the design contemplated by the act of 1825; and the President and Directors instead of investing, or otherwise disposing of it for improvement, as directed by that Act, have been obliged virtually to relinquish for a time, their control over it. To suffer thus to go to decay, and to be consumed, means liberally provided and set apart by previous Legislatures for the benefit of an after generation, resembles in some respects, the conduct of an improvident heir, who wastes in mere indolence, what has been saved, by the industry and economy of the ancestor, for the lasting improvement of the inheritance. Were it properly in the line of official duty, the Public Treas-

Fund virtually out of control of Literary Board.

Condemns this policy of using the fund.

urer as a member of the Board, would here venture a hope that some provision may be made to enable them to preserve and improve that fund, for the valuable ends had in view by the Assembly of 1825. The proceeds arising from the profitable investment of the amount of cash now on hand, \$88,586.32½ would be sensibly felt in its accumulation.

—*From Public Treasurer's Report, 1832.*

8. EXPENSES OF THE STATE GOVERNMENT 1810-1832.

In obedience to a Resolution of the Senate of the 3rd inst. I herewith transmit a statement, showing the annual amount of the annual expense of the Government from 1810 to 1832, inclusive.

1809.

1st Nov'r, By sundries to John Haywood, late

	Pub. Treas.			\$76,178.63
1st do. 1810	do	do	do	68,795.57
1st do. 1811	do	do	do	57,506.94
1st do. 1812	do	do	do	80,013.54
1st do. 1813	do	do	do	115,796.76
1st do. 1814	do	do	do	123,372.60
1st do. 1815	do	do	do	142,942.74
1st do. 1816	do	do	do	130,632.17
1st do. 1817	do	do	do	207,081.52
1st do. 1818	do	do	do	125,991.05
1st do. 1819	do	do	do	121,026.74
1st do. 1820	do	do	do	193,693.43
1st do. 1821	do	do	do	126,701.69
1st do. 1822	do	do	do	119,352.51
1st do. 1823	do	do	do	87,321.55
1st do. 1824	do	do	do	135,386.35
1st do. 1825	do	do	do	223,729.07
1st do. 1826	do	do	do	125,226.40
1st do. 1827	do	do	do	80,890.41
1st do. 1828	do	do	do	121,151.00
1st do. 1829	do	do	do	115,368.37
1st do. 1830	do	do	do	103,385.99
1st do. 1831	do	do	do	119,598.68
1st do. 1832	do	do	do	138,867.46

NORTH CAROLINA.

Comptroller's Office, 7th Dec., 1833.

I, James Grant, Comptroller of Public Accounts, do hereby certify the foregoing statement to be the aggregate amount of the annual expense of the Government from 1810 to 1832, inclusive.

J. GRANT, *Comp.*

—*Legislative Documents, 1833.*

9. CALDWELL LETTERS ON POPULAR EDUCATION.

LETTERS
ON
POPULAR EDUCATION,
ADDRESSED
TO THE PEOPLE
OF
NORTH CAROLINA.

Title page of the
collected letters as
published.

How can he rule well in a commonwealth
Who knoweth not himself in rule to frame?
How should he rule himself in mental health
Who never learned one lesson for the same?
If such catch harm, their parents are to blame:
For needs must they be blind, and blindly led,
Where no good lesson can be taught or read.
Cav. in Mir. for Mag.

HILLSBOROUGH:
PRINTED BY DENNIS HEARTT.
1832.

PREFACE.

Report of 1825 committee work of the chairman.

A few years ago the attention of our Legislature was directed upon the subject of general education. They closed their proceedings upon it at that time by appointing a standing committee of four persons from the community at large, to whom it was prescribed to consider the subject of popular education through the ensuing year, and report to the Assembly at its next Session. That committee never met and no opportunity was afforded of comparing the sentiments of its members in personal conference. Towards the close of the year a paper drawn up by the chairman was sent to the other members for perusal, that if no other should have been prepared, and they should express their assent to such a measure, it might pass as a report to the Legislature. It detailed a plan conformable with the practice of some other states in the east and north, with provisions adapting it to our own circumstances. Objections were not raised to the measure, and it was presented as a report. As a basis it called for the creation of funds so vast as to preclude all hopes that it would be deemed practicable, and the anticipated issue was verified, that the ways and means necessary to its accomplishment, were of themselves an insuperable objection.

Plan called for too vast expenditures.

Caldwell's plan of public education embodied in these letters.

The writer of these letters, it may be recollected, was honored with an appointment on that committee, and it will not be strange that himself or any other person on whom the eye of the Legislature had been thus particularly turned, should feel some sense of obligation to reflect more fully on the subject, and engage in further researches as longer time and larger opportunity might put them within his power. He feels himself to be standing on ground somewhat different from that which he would have continued to occupy, had the appointment never occurred.

From the circumstances, as they have been explained, it might be concluded, that all he has to think or say on the

subject of popular education is already before the public, which now at least, and for three years past would not do justice to his opinions and views. Had the writer been called upon at any time within this compass, to explain such a scheme of elementary education as would be preferable to all others, especially in our circumstances, and which instead of being impracticable can with the utmost facility be commenced and carried forward into execution without delay, the system he would have proposed is fully exhibited in these letters. They have occupied no small portion of his inquiries on a subject which involves the very highest interest of the State. He has now discharged what, with such views as he had, he could not but consider as a duty, and to his fellow citizens, he cheerfully leaves the consideration and disposal of it.

In these letters remarks have been made freely upon the past and present method of schools in our own state. It may appear that injustice is done to many respectable and useful men, acting in the occupation of schoolmasters. It is hoped that these strictures will not be understood as pointed upon individuals, or upon the profession. It is to this class of society that the writer himself belongs. Is it not natural that he should be jealous for its honor? He is fully aware of the proper distinction between the truly respectable and worthy, and others who are wholly unmeet for the trust, in principles, character and qualifications. If a proper system of education were established, these would no longer appear as blots upon the profession. Instead of securing its high and important purposes to the community, they have exerted an influence baneful to an extent which none can tell, and have been most accountable for the reproach in which all education is now held by multitudes throughout the state.

No intended reflection on real teachers.

Chapel Hill, Oct. 17, 1832.

LETTERS ON EDUCATION.

LETTER I.

Fellow Citizens,

Letters originally
appeared in the
Raleigh Register.

The substance of these letters was commenced in publication more than two years ago, in a different form, with the signature of Cleveland, in the Raleigh Register. It soon appeared that, from failure of health and inevitable avocations, my purpose could not then be prosecuted. From the postponement, greater opportunity has been given of revolving the subject, and maturing the plan it was then intended to suggest, of popular education. I believe, however, that nothing material has since occurred to change the views then contemplated, and they are now presented in the form of letters, instead of numbers with the chosen signature.

Any plan of education must consider the conditions peculiar to North Carolina.

I have no need to inform you that my life has been much, may I not say exclusively conversant with the subject of education. It has been passed too, among your selves, in habitual familiarities with the necessities of the state, its difficulties, the habits of the people, your peculiar sentiments on the subjects of legislation, and on the nature and extent of the means at once in unison with your inclinations and commensurate with your resources. The necessity of such information for the construction of plans to advance the interests and meliorate the condition of the people is indisputable. The writer of these letters is fully sensible of the deficiency of any pretensions he can properly make to a competent share of this species of qualification, compared with what might be rationally expected from the circumstances in which he has been acting for more than five and thirty years, and in comparison too with many others of his fellow citizens, who have enjoyed far less opportunities in reference to this particular subject. It has been his object however, to discipline his views

to the particular circumstances of his countrymen whose welfare he would consult, and to exclude everything which would be impracticable or hopeless for want of concurrence with their established modes of motives and action, while he should forever repudiate the thought of urging one consideration, or recommending one step, perceived to be variant from integrity, and in the practical adoption of which he is not prepared to make common cause with his countrymen to its utmost issue.

When a people have continued long in one course of legislation, when they have frequently and habitually resisted essays made to diversify or enlarge it, any measure which looks beyond the limits of their ordinary action, must conspicuously embody advantages great and numerous and unquestionable, if it would hope for complacent consideration, much more for final acceptance. Should an innovation in any instance gain their assent, and through malformation or mismanagement unhappily fail to secure its object, the event will be pregnant with disappointment to all future efforts at improvement. If on the contrary it should prove successful, even inveterate prejudice may be weakened and dissolved and many things become easy which before were impossible.

An innovation in North Carolina legislation must embody great advantages to gain consideration.

There is perhaps no art or science in which greater improvement has been made than in that of education in primary schools. It has assumed a character wholly different from that of former times, and from that in which it still appears among ourselves. The mode of communicating instruction, the variety of which it consists, the interest ever kept alive in the bosom of the pupil, the exclusion of corporal punishment with which it is most successfully conducted, the activity and versatility to which it trains the intellectual faculties, the life and force which it imparts to the human affections, and the wide range of thought and knowledge which it opens before the reason and curiosity of the pupil, transcend the anticipated pictures even of an indulged imagination. Could we witness

Recent progress in primary education.

it in its processes and effects, its superior excellence would assuredly occur to us with a conviction as complete, as every one now feels in favor of the gin in preference to the fingers in the process of now cleaning cotton, of the steamboat compared with sails or oars, or of a locomotive engine carrying its numerous tons at twelve miles an hour, contrasted with the labor and plodding movement of wagons and horses, of which unhappily to our incalculable loss we are still fain to avail ourselves, over the sharp pinches, the floundering water pits and jolting obstacles of highways on which the hand of improvement has never operated. Nothing certainly is wanted but this ocular demonstration, to the resolute and instant adoption of all these astonishing and inestimable improvements which distinguish the generation of men and the age to which we belong, above the bygone ages and generations of the world. But to witness the present perfection of the school master's art is not our privilege, for its examples are too remote. And this presents an obstacle to any system of elementary schools we can recommend for the children of our state.

Examples of the perfection of the schoolmaster's art too remote.

Our aversion to taxation for support of schools.

Another obstruction meets us in our aversion to taxation beyond the bare necessities of government and the public tranquility. Any scheme of popular education must be capable of deriving existence originally, and of maintaining it perpetually, without taxing us for the purpose, or we are well aware that we shall not as a people consent to its establishment.

Indifference of many to the advantages of education.

A still further difficulty is felt in the indifference unhappily prevalent in many of our people on the subject of education. Vast numbers have grown up into life, have passed into its later years and raised families without it: and probably there are multitudes of whose fore-fathers this is no less to be said. Human nature is ever apt to contract prejudices against that which has never entered into its customs. Especially is this likely to be the case if there have been large numbers who were subject in com-

mon to our same defects and privations. They sustain themselves by joint interest and feelings against the disparagements and disadvantages of their condition. It becomes even an object to believe that the want of education is of little consequence; and as they have made their way through the world without it, better than some who have enjoyed its privileges, they learn to regard it with slight if not with opposition, especially when called to any effort or contribution of funds for securing its advantages to the children. Such are the woful consequences to any people who, in the formation of new settlements, have not carried along with them the establishment of schools for the education of their families. So strangely may the truth be inverted in the minds of men in such circumstances, that they become avowed partizans of mental darkness against light, and are sometimes seen glorying in ignorance as their privilege and boast. When a people lapse into this state, and there is reason to fear that multitudes are to be found among us of this description, it must be no small difficulty to neutralize their antipathy against education, and enlist them in support of any system for extending it to every family in the state.

Picture of the results of lack of education on the thinking of the masses.

I might mention further, as one of the greatest obstructions, the scattered condition of our population, over a vast extent of territory, making it difficult to embody numbers within such a compass as will make it convenient or practicable for children to attend upon instruction.

Sparse population.

A most serious impediment is felt in our want of commercial opportunities, by which, though we may possess ample means of subsistence to our families, money is difficult of attainment to build school houses and support teachers. Could the avenues of trade be opened to this agricultural people, funds would flow in from abroad, and resources would be created at home, which would make the support of schools and many other expenses to be felt as of no consequence. Excluded as we now are from the market of

Lack of commercial opportunities a great difficulty in the way of the support of schools.

the world, the necessity of rigid economy is urged against every expenditure however small, and the first plea which meets us, when the education of children is impressed upon parents is their inability to bear the expense. This is one principle reason why it has been thought that among all the improvements upon which we are called to engage for the benefit of the state, commercial opportunity shall be the first. With the enlargement of funds, every difficulty would vanish in the way to such improvements as are rapidly elevating other states to distinction and opulence.

Summary of difficulties in the way of supporting schools.

It appears then how numerous are the discouragements we have to encounter in framing any plan for popular education. Our habits of legislation have been long established, and their uniformity has in few instances been broken, from our first existence as a state. To provide for the education of the people, has unhappily never entered as a constituent part of these habits. We are wholly unaware of the immense improvements, which would render captivating to us if we could but witness them, the methods of instruction in elementary schools, now practiced in other parts of the world. Our aversion to taxation, even to provide for the education of poor children, is invincible, and extinguishes at once the hopes of any plan to the execution of which such means are necessary. The same fate awaits every scheme of education, which looks for success to the borrowing of funds. Through the influence of inveterate habit, large portions of our population have learned to look with indifference on education. But to what an appalling magnitude does this difficulty grow, when among many, a spirit of hostility is even boasted in behalf of ignorance against knowledge! We want resources too, and must for ever want them, not only for educating our children, but for every other improvement, so long as we are without commercial intercourse with the world.

I have already mentioned seven distinct causes of em-

barrassment in the organization of any plan for popular education. It were easy to extend the enumeration, but these will suffice to show the serious obstacles that meet us in the formation of a system of primary schools, to stagger our hopes of its acceptance with the people. An eighth, however, I must not omit, on account of its very great influence. It is seen in the aversion with which we recoil from laws that exercise constraint upon our actions. We are a people whose habits and wishes revolt at everything that infringes upon an entire freedom of choice upon almost every subject. It would be easy to elucidate how this has come to be a trait so deeply marked in our character, but its reality is unquestionable. Provision for general instruction can scarcely be effected, without some compulsory measures regulating the actions of individuals into particular channels directed upon the object. Every such measure is felt to be an entrenchment upon the indefinite discretion to which we tenaciously adhere, when a relinquishment of it is not absolutely indispensable.

Aversion to surrendering any personal liberty another difficulty in the way of public education

I am, fellow citizens, yours,

With the highest respect,

and best wishes for your welfare,

J. CALDWELL.

LETTER II.

Fellow Citizens,

Such difficulties as have been enumerated must be either avoided or overcome in any scheme which we would propose as practicable for popular education. And what is our object in the specification? Is it to discourage or induce the conclusion that the object is unattainable? Certainly not. If impediments must be encountered on our way to a distant spot to which we would travel, of these we ought to be well informed, lest we waste time or effort in arriving at it, or be wholly repulsed in the attempt. The obstacles appear numerous, and some are invincible, but let

Our duty to find a way around the difficulties.

us endeavor to select a course that will either shun or surmount them. As a total relinquishment, can we be reconciled to acquiesce in it, till every trial shall have been made, which may issue more happily.

We have not been in the habit of taxing ourselves for education.

We have been in certain habits of legislation, until they have become fixed upon us, and any deviation from these seems to be almost instinctively regarded with aversion. Among the objects for which we have, through our whole history been accustomed to provide, education is not one. But the reason why we have never acted upon the subject is confessedly, not because it has not been deemed desirable, but that the methods proposed for effecting it have depended upon taxation. Is there no course then to be taken, to which funds thus raised are unnecessary? If one may be found, the plea of mere habit is probably displaced with the cause to which our habit, on this point at least, owes its inveteracy.

All would favor public schools if they could see what was being done in other States.

If our indifference and inactivity in regard to popular education be in any degree due to the wretchedly imperfect methods of instruction in our primary schools; if a knowledge of the admirable height of improvement which they have reached in other states, and other parts of the world, would kindle an enthusiasm for the acquisition of their privileges, which would no longer brook delay, let us hope that this want of information and light is not so essential to the subject, as to be an insuperable impediment. In truth, I have no hesitation in averring that it does constitute a difficulty equal if not superior to any other with which we have to contend. We may venture to predict, that could every parent in North Carolina be present for a few hours only to witness the process of elementary schools as they are now conducted in New York, and Connecticut, and Massachusetts, the impressions they would produce could never be effaced, nor the impulse excited in his bosom repressed. Could the conviction attending such a scene be common to every head of the family in our state,

how soon would all hearts and all hands be united in some effort, which by the union would be irresistible.

With respect to the difficulty arising from our aversion to taxation, I am ready to admit, nay conclusively to affirm that it must and will be fatal to every scheme of popular education to which it is made necessary.

Taxation will be fatal to any plan.

As to a spirit of hostility against knowledge, and a determination upon principle to sustain the cause of ignorance and to exclude all education as a foe to human happiness, and to true republicanism, the portion of our people who hold such opinions, is too small to contend with the great body of our citizens, who for the honour of our state, it is verily believed, are of entirely different sentiments. If no system of primary instruction has been established among us by legislative action, it is not that N. Carolina is at enmity with the subject itself, but because her means have been thought inadequate to its accomplishment.

People can not be said to favor ignorance.

Our resources doubtless fail, for want of commercial privileges. But this obstacle, too, ceases, if some plan for the diffusion of education can be effected by means already at our command.

Other difficulties may be surmounted.

Lastly, it is true, we are a people, whose feelings may be said to be sensitive to the irksomeness of constraint. Let us then consult this feeling with all the delicacy in our power. Let us, if possible, contrive the structure of our schools so as not to depend upon compulsion but upon inducement. Let it lie principally upon the attractions of its charms. Let it avoid giving offence by the imposing sternness of its features.

It is not then to dishearten, that I have spoken in detail of such difficulties as meet us, in digesting a plan of popular education. The survey is attended with no dispiriting effect, if we can only keep clear of one or two principal obstructions, to which the rest owe their chief if not all their influence.

It will be forever vain to meditate plans of legislative action, if we persist in looking to means, which the people

Schemes of education by taxation only perpetuate party spirit and will ever fail.

have given prescriptive evidence that they will never adopt. Why continue to press schemes from year to year, involving the necessity of taxation? such projects may serve to amuse, to distract, to weaken. Party spirit, which is the bane of all wise and sound policy, is perpetuated from year to year, assumes a standing character, and is propagated among the people, poisoning the fountains of legislation. The halls of the Assembly become an arena to fight over again the same battles, in which it often happens that the best interests of the country are connected with the degradation of defeat. Success is made the test of merit. The strength of a cause is estimated not from the benefits with which it is pregnant to the state, but by the comparative numbers enlisted in its support or subversion, by adherence to a party, the agitations of hope and fear, and the delusions of artificial excitement. The triumphs of victorious opposition, even to an object so sacred and all important as the education of the people, are capable of covering the object itself with ignominy, through an indiscreet and persevering connection of it with loans and taxes to which our established feelings are in revolting and irreconcilable aversion.

The fate of former schemes of taxation for education should give us pause.

The laws and measures which have been urged upon us by the most unquestionable patriotism, and by minds of every rank in ability, and which have owed their prostration to the taxes proposed for their execution, who could attempt to enumerate? They lie entombed in the mouldering records of our legislative assemblies. Were each to occupy the space of earth usually allotted to a fellow mortal, no repository of the dead in the wide range of our state would be ample enough for their receptions. Let us take warning from their fate, and look to other means.

The people will accept an inexpensive voluntary plan of education.

Thousands of parents are ready to second any practicable system by which education may be accessible to their children. Let it be offered to their voluntary acceptance by the best methods of instruction, and at the least ex-

pense, and they will grasp with eagerness the proffered privilege. How can we imagine that a people like ourselves, living in an age of knowledge every where distributed through a thousand channels, can continue indifferent to its opportunities. There is not a wind of heaven, come from what quarter it may, which wafts not to our ears, improvements and discoveries that fill the world with activity and interest.

Can we sit contented to hear of them only in confused sounds, unable to examine for ourselves? Shall the eyes of a people so numerous, and prepared for the full exercise of every knowledge of personal and public freedom, continue wrapt in clouds and darkness? And shall not our imaginations, too, be set at liberty to delight themselves in the rich luxuriance of their proper enjoyments, which the journals of travelers, the productions of genius, and publications of every description, are daily offering to our contemplation? It is our boast that we live in an age fruitful in wonders both in art and knowledge. How deplorable is the condition of that man who is debarred all access to them by the use of books. To him who can read, the press is a watch-tower from whose summit he can extend his view over the whole earth, stretching into boundless prospects of harvests, and fruits and flowers, under a culture unexampled in the past ages of the world. To what but the press does the present generation owe its superior light? It is the vehicle by which we travel over every region of the globe, surveying its continents, islands, oceans, with their productions in endless diversity. The animal, vegetable and mineral kingdoms, the manners and customs of its tribes and nations, their governments, the causes of their happiness and their miseries, their institutions and inventions, superstitions and prejudices, their depravity and cruelty, their struggles for liberty, their forfeiture of its blessings by dissention, ambition, and by yielding themselves a prey to despotic power, are all made

Deplorable condition of the man who can not read.

to pass in review by the mysterious revelations of the press before the optics of the mind. Who that enjoys its opportunities can frame adequate conceptions of the dark prison of his thoughts who cannot read, and the contracted limits of his intellect? To him the lament of the poet is applicable, whom blindness by disease had shut up from the light of day.

“This to me returns not,
But cloud instead, and ever-during dark
Surrounds me, from the cheerful ways of men
Cut off, and for the book of knowledge fair
Presented with a universal blank
Of the world’s works, to me expunged and rased,
And wisdom at one entrance quite shut out.”

He lives indeed in the most enlightened period of the world, and the sun of knowledge is blazing in splendor around him, but he is enclosed in walls impenetrable to its beams, and he is sunk in the obscurity of a distant age.

Do we reflect, fellow citizens, on the multitudes who are in this dark and cheerless condition, constituting no small portion of our population? How many more of our generations must still grow up, to pass through life, surrounded with the gloom of three hundred years ago? Shall we not say with united voice, this evil is too grievous, too inglorious, and in its effects too mischievous to be borne? It must have a remedy and it must have it soon. Let us bring all the resources of our minds to bear anew upon the subject, and use the best means in our power to disseminate education through every county of the state, and among every portion of the people.

I am, fellow citizens,

Yours, with the highest respect.

J. CALDWELL.

LETTER III.

Fellow Citizens,

Two methods of providing for popular education occur in ordinary practice. One is voluntary, leaving it wholly to the discretion of the people themselves, without aid by the state; the other is by the intervention of the legislature. A third will appear in a combination of both. On the two former some explanation, as brief as I can make it, will help us to arrive at intelligent and satisfactory conclusions. This will be given in the present letter.

Three methods of popular education.

The first method is the one which we now practice. It consists in the origination and maintenance of a school in any neighborhood, by a voluntary combination among as many of the inhabitants as will agree. Its insufficiency is proved by all our past and present experience. A school house is to be erected at the common expense; a site for it is to be chosen with the consent of all; a master is to be found; a selection and approbation if there be more than one, is to be discussed and settled; his compensation and support must be fixed to the general satisfaction, and the time of continuance must be stipulated.

The voluntary plan we now follow; its evils.

Here are six principal points on every one of which dissension of opinions, feelings and interests may spring up, to produce weakness or defeat. It is unnecessary to enlarge upon the perplexities that meet us at every step, and the discouragement of failures and disappointments, until at last in a vast number of instances, the object is relinquished in despair.

The evil which is the greatest of all, is the want of qualified masters. It may be difficult to obtain a teacher at all, but it is pretty certain in the present state of the country, not one is perfectly fitted for the occupation. Do we think that of all the professions in the world, that of a school-master requires the least preparatory formation? If we do, there cannot be a more egregious mistake. For if any man arrived at years of maturity, who can read, write and

Lack of proper teachers the greatest evil; condition of the primary schools.

cypher, were taken up to be trained to the true methods of instructing and managing an elementary school, by a master teacher who understands them well, he could scarcely comprehend them and establish them in his habits in less than two years. This is not to speak with looseness and extravagance on the subject; and we need only to examine with opportunity of information, to be convinced of it as a practical truth. Yet in our present mode of popular education, we act upon the principle that school-keeping is a business to which scarcely any one but an idiot is incompetent, if he only knows reading, writing and arithmetic. If in almost every vicinage there happens to be one or a few who have more correct opinions, the numbers who think otherwise carry it over their heads, and our primary schools are kept sunk down to the lowest point of degradation, and education is disgraced by our own misconceptions and mismanagements.

Teaching regarded
with contempt.

In the present condition of society and of public opinion, the occupation of a school master in comparison with others, is regarded with contempt. It would be wonderful were it otherwise, when we look at the manner in which it is very often, if not most usually filled. Is a man constitutionally and habitually indolent, a burden upon all from whom he can extract a support? Then there is one way of shaking him off, let us make him a school master. To teach a school is, in the opinion of many, little else than sitting still and doing nothing. Has any man wasted all his property, or ended in debt by indiscretion and misconduct? The business of school-keeping stands wide open for his reception, and here he sinks to the bottom, for want of capacity to support himself. Has any one ruined himself, and done all he could to corrupt others, by dissipation, drinking, seduction, and a course of irregularities? Nay, has he returned from a prison after an ignominious atonement for some violation of the laws? He is destitute of character and cannot be trusted, but presently he opens

a school and the children are seen flocking into it, for if he is willing to act in that capacity, we shall all admit that as he can read and write, and cypher to the square root, he will make an excellent school master. In short, it is no matter what the man is, or what his manners or principles, if he has escaped with life from the penal code, we have the satisfaction to think that he can still have credit as a school-master.

Is it possible, fellow citizens, that in such a state of things as this, education can be in high estimation among us? Is it strange that in the eye of thousands, when education is spoken of, you can read a most distinct expression that it is a poor and valueless thing? Can we rationally hope that so long as a method of popular education as this shall be all to which we look, the great body of the people will become enlightened and intelligent? Will they be qualified to act in all the various relations of parents and children, brothers and sisters, masters and servants, neighbors, members of the community, citizens of the state, subjects of providence and heirs of immortality? In all these capacities every child that grows up into life must necessarily act, and the teacher whose habits, views and dispositions do not qualify, and whose conscience does not urge him to instill into his pupils the principles, excite the emotions, and select the books best fitted to them all, is totally defective in the business of a school master, and has need to learn the first elements of his art. If any difficulty occurs as to the largeness of the qualifications of a common teacher, which seem here to be required in excess, it is a subject on which I propose to explain more fully afterwards, and will hope for a reference at present to the further remarks to be made upon it.

Every species of business may be executed with various degrees of ability, and men may differ in their opinions of such as possess skill of a higher order in their professions. But respecting such as possess no talent, no qualifi-

People's estimate of education degraded by the poor teaching done in the primary schools.

cation, none can mistake. All must feel one common overpowering conviction that their pretensions are despicable. Let any profession be wholly consigned to occupants so wretchedly destitute of every qualification in skill or principle, let it be known to the people only in such defective and degrading forms, and how can it be otherwise than contemptible, and all that is connected with it of little or no worth?

The people must be given better teachers in order to change present conditions.

It is apparent then that popular education cannot be efficient, when left to the insignificance into which it sinks, with no other security for its prosecution than the accidental and voluntary action to which it is now left. So unvarying and universal has been this method of educating children among us, that to speak of schools and school masters modelled upon other plans, as they are understood and maintained in other parts of the world, would probably expose a man to the charge of romancing, or at least as recommending something to us wholly unattainable, and fitted only to men of different attributes and capabilities from our selves. This plan of popular schools, hitherto, the only one we know, is so meagre and deformed in its features, and rickety in its constitution, that its repulsiveness prevents many from the use of it, who have not a doubt that education is of the utmost importance to the young, to families and to the population of a free state. The mind is a proper subject of cultivation, as much at least as the soil which we subdue and mellow for a harvest. Its powers must be developed, and its affections moulded by an informing and plastic hand. It should have the knowledge of letters, and the easy use of them, both in reading and with the pen. These are the portals which should be thrown open to all, that they may have free access to the information of the age. These are essential; but to know how to read and write are but a part of the great objects of early education.

Good and evil dispositions must be distinguished, and

habits established of feeling and thinking and acting. Reading and writing are but instruments for forming the mind. All this would be admitted, nay strenuously asserted by many, if not by every individual. But when the concession is made, when the conviction is complete, and we turn to the means of securing these advantages for children, how are all our ardors suddenly arrested and congealed, as soon as we turn to the only means for forming their principles and dispositions. The school house too often presents itself to the eye as a region infested with mists and noxious reptiles, and poisonous plants, and among these the dearest objects of our affections must be placed, that they may have access by reading and writing to the springs of knowledge and intellectual life.

That education in our primary schools should be held in low estimation, is but a natural consequence of the circumstances in which it is acquired. It never can be valued so long as they continue. The resources to which we have been left through our whole progress as a people, being of this character, the consequence is well known that thousands, and perhaps tens of thousands, are left to grow up unable to read at all. Experience has made it undisputable that the plan which we have practiced, if plan it can be called, is a total failure so far as North Carolina is concerned. Can evidence be wanting of its deplorable consequences, when it is by no means rare to hear men directing upon education a derision which would imply that they can deem it a glory and a privilege to be without it? I have been placed in circumstances, and there are few I fear who have not been similarly situated, where it would be dangerous to the election of a candidate to have it thought that he had any pretensions to information or culture, at least beyond a bare capacity to read. And some miserable being, to secure the great object of his ambition, has frontlessly presented it as a sure and glorious passport to success over the head of a rival, who was so unfortu-

nate as to have had some education, that he belonged to the class of the ignorant, with whom the greater part considered it their glory to be ranked.

We see, then, the consequences of educating children by such wretched methods as we commonly practice. Thus it will always continue to be, so long as these methods are retained. We dress up the occupation of a school master in rags. It appears in hideous deformity by our own arrangement. It is no wonder if that which we intended for the figure of a man, cannot be thought of otherwise than as a laughing stock a by word, or a scarecrow, and then education is put down as a questionable subject. Nay, it becomes a thing of scorn and reproach. The repulsive and disgraceful forms in which it appears, have been given to it by ourselves, in the crudity of our own misconceptions. Where is the subject or the personage that may not be exposed to derision and rejection by a similar process?

And how shall the confidence and the affections of the people be regained? It is by stripping off the offensive and contemptible disguise, and presenting education in all the beauty and excellence of her proper character. No sooner shall this be done, than all will fall in love with her. Her presence will be courted as the privilege and ornament of every vicinage, and under her patronage the clouds and mists that lower upon us will be dissipated.

With the highest respect,

I am your obedient servant,

J. CALDWELL.

Fellow Citizens,

Summary of preceding letter.

My last letter was occupied in showing that inefficiency of the mode of popular education, which has been our sole dependence in North-Carolina, and the pernicious effects it produces in harassing those who look to it, in disappointing their wishes, and in planting and in propagating prejudices upon the whole subject of knowledge and education.

We saw that from disagreements among neighbors when schools are to be instituted, from the incompetency of teachers, their total ignorance of their profession, the profligacy, idle habits and degeneracy by which many of them are characterized, such a method of elementary instruction has left us overwhelmed in thick darkness amidst a firmament gleaming with the brightness of the most enlightened age. It is in a persevering adhesion to this system, if system it can be called, that it has become fashionable with many to decry education as a thing of no value, and as qualifying men, not for distinguished usefulness and integrity, but for dexterity in the arts of cunning and selfishness. So long as we continue these methods of educating children, it threatens an envelopment in denser clouds of obscurity and prejudice. It surely behooves us to make good our escape from it without delay, from the baleful effects it has already produced, and which it will surely multiply upon us, if it cannot be replaced by something better.

Another system which in our circumstances however is beyond our reach, it is my purpose now to explain, for the single reason that it comes upon us with reiteration from year to year, with no other consequence than to occupy our time, to distract the public mind, and to dishearten us with efforts terminating in abortion. It is the method practiced in some of our sister states, especially in Connecticut, New York and others. In these states, through time, and by such resources as they could command, a vast school fund has been treasured up, to such an amount as a million and a half of dollars. By the annual interest of these funds, schools are supported for educating every child in the country. The state is divided into districts of convenient size, a school house is erected in each, and teachers are either partially or entirely maintained by appropriations from the proceeds of the school fund. In New York a district is not entitled to aid until it can report authenti-

The Connecticut plan of education will not be adopted here.

cally that it has already provided a school-house, and is prepared to pay a certain sum towards the support of a teacher.

Calculation to
Show that the
plans of other
states can not be
carried out here.

Let us now enter into some computation, to see whether such a plan is within our power. If it be not, it is useless to think of it. It is worse than useless, it is time misspent on projects which must end in baffling disappointment. To make the subject plain, let us begin with the supposition of a single school in each county of North Carolina, and that fifty dollars, only, are annually allowed from a school-fund for its support. This supposition is put not with the idea that one school is enough for a county, or fifty dollars for its maintenance, but for further calculations.

The state containing sixty-four counties, an allowance of fifty dollars to each, calls for an annual expenditure of three thousand two hundred dollars. The capital necessary to yield this interest at six per cent. is 53,333 dollars. Hence the following table is easily framed, showing the capital which must be accumulated for the maintenance of schools, from one to sixteen in each county, at fifty dollars each. Fractions are omitted, except in gaining other numbers from the preceding.

TABLE I.

For 1 school to a county, at \$50 per annum a	
capital must be created and kept at interest of.	\$53.333
For 2 schools to a county, at \$50 each.....	\$106.666
3 schools to a county, at \$50 each.....	160.000
4 schools to a county, at \$50 each.....	213.333
5 schools to a county, at \$50 each.....	266.666
6 schools to a county, at \$50 each.....	320.000
7 schools to a county, at \$50 each.....	373.333
8 schools to a county, at \$50 each.....	426.666
9 schools to a county, at \$50 each.....	480.000
10 schools to a county, at \$50 each.....	533.333
11 schools to a county, at \$50 each.....	586.666
12 schools to a county, at \$50 each.....	640.000

13 schools to a county, at \$50 each.....	693.333
14 schools to a county, at \$50 each.....	746.666
15 schools to a county, at \$50 each.....	800.000
16 schools to a county, at \$50 each.....	853.333

The counties are very different in size; and the schools assigned must vary in number, according to the circumstances. Taking thirty-two miles square for the extent of the counties one with another, and allotting a school to a space eight miles square, each county would have sixteen schools. In this case the distance which some children must go to a school is at least four miles, but they would be those only who lived at the limits of the square. For sixteen schools to a county, a fund of eight hundred and fifty-three thousand three hundred and thirty-three dollars must be vested at interest, to pay fifty dollars a year to every school. The table shows us by inspection the fund required for any less number of schools.

But it will hardly be thought that fifty dollars a year will be sufficient for the maintenance of a school. A hundred would probably be too little, but let us take that sum for exemplification. The following table is furnished upon the same basis, and we have only to double the former numbers:

TABLE II.

For 1 school to a county, at \$100 per ann....	\$106.666	Further calculations.
2 schools to a county, at \$100 per ann....	213.333	
3 schools to a county, at \$100 per ann....	320.000	
4 schools to a county, at \$100 per ann....	426.666	
5 schools to a county, at \$100 per ann....	533.333	
6 schools to a county, at \$100 per ann....	640 000	
7 schools to a county, at \$100 per ann....	746.666	
8 schools to a county, at \$100 per ann....	853.333	
9 schools to a county, at \$100 per ann....	960.000	
10 schools to a county, at \$100 per ann....	1,066.666	
11 schools to a county, at \$100 per ann....	1,173.333	
12 schools per annum, at \$100 per ann....	1,280.000	

13 schools per annum, at \$100 per ann....	1,386.666
14 schools to a county, at \$100 per ann....	1,493.333
15 schools to a county, at \$100 per ann....	1,600.000
16 schools to a county, at \$100 per ann....	1,706.666

It is probably unnecessary to explain the use of this tabular statement. It is obvious that the fund necessary for the annual disbursement requisite for sixteen schools to a county at \$100 each is one million seven hundred and six thousand six hundred and sixty-six dollars.

We can now see the extent of our enterprise, if we undertake to provide for popular education upon the plans of New York, Connecticut and some other states. If 150 dollars be allowed to each school instead of 100, the numbers of both tables must be united to exhibit the requisite funds.

No hope to raise such a large sum.

But the essential question occurs, How shall the funds be created which the tables show for executing such a system? That it will be done by taxation, there is no prospect. To raise a fund of a million and a half dollars, we must be taxed to the amount of a hundred thousand dollars annually for fifteen years. Is this within the limits of probability? It is presumed that no one will announce that it is. Were we taxed at the rate of fifty thousand dollars a year, thirty years must pass away before the fund would be completed. Both the amount of the tax, and the postponement of the time, are enough singly to preclude all thought of such a measure.

Present taxation of 75 cents on each poll regarded as oppressive.

Our habits are at variance with taxation for any purpose, beyond the bare necessities of governmental subsistence. Even this levy it is our anxious and ever exerted effort to reduce to the very lowest point by every device of legislation. The tax now paid by the people for the support of our state government is twenty-five thousand dollars a year. Have we any doubt whether the sum is so small as this? The Bank stock owned by the state, I am informed, amounts to seven hundred and fifty thousand

dollars. The annual revenue derived from it into the treasury, at six percent is forty-five thousand dollars. If the expenses of our state government be seventy thousand, no more than twenty-five thousand are necessary beyond the interest of the stock to make up the sum, and this is not twenty cents to the poll. It is evident that I speak of bank stock in its ordinarily productive state.

Of county taxation we cannot speak with precision. In no two counties is it probably the same, and it fluctuates in each county from year to year, with the emergencies with which it is to provide. It is for those who are better informed than I am, to say whether it is likely to be more than such a sum as fifty cents to the taxable poll, upon an average through the state. Admitting this, our annual taxation in North Carolina, is at the rate of seventy-five cents to every taxable poll. If there be any mistake in these statements it is easily corrected, but it is presumed the result will not differ much from the truth. Such taxation as this, we should think, must be too small to excite discontent. But who does not know that it is habitually urged as subject of complaint, if not as oppressive. Now if while it is so inconsiderable, we have our eye ever solicitously directed upon its diminution, how shall we expect that any plan of popular education shall be accepted and carried into execution, to which additional taxation to the extent of a hundred thousand dollars a year, or fifty thousand dollars a year, or even a much smaller sum, becomes necessary for fifteen or thirty years to come?

It is now submitted to the dispassionate consideration of those who look to New York, or Connecticut, for plans of popular education, whether the proposal and discussion of them is likely to be attended with any other consequences than apprehension in the general mind that the whole subject of education is hopeless. Is it not better to drop them, and turn our eye to a different direction? There may possibly be other methods of accomplishing the object.

Better to drop the idea of schools by taxation.

Let us not despair that one may be devised susceptible of execution by means within our power. In one assurance at least we may rest with satisfaction, that if our time may be lost in adopting this course, in cleaving to the other it certainly will.

No hope that bonds will be issued.

Nor can we look with better hopes to the consent of the state to borrow the necessary funds. To loans as well as taxes for all purposes such as these, we have ever shown an invincible dislike. It is in vain to urge the authority and the example of other states. We may lament over the losses both of moral and pecuniary wealth to an incalculable amount perpetuated through every year of our existence, by what we may call our unhappy prejudices against a taxation which we should not feel, and against raising funds by loan to be attended with immense profits to the state; but to what end shall we repine, and vent our regrets in the most flowing and eloquent strains? We wish to provide a system of elementary schools. If we would busy ourselves with the least prospect of success, let us avoid placing it upon the issue of loans and taxes. While the spirit now ascendant shall continue to reign in our political atmosphere, the vessel which shall have the hardihood to venture freighted with these, may for a while buffet the surge. Her friends may with momentary exaltation exclaim,

Her path is o'er the mountain wave;
but soon it shall be as a doom pronounced upon her,

Her home is in the deep.

I am yours, with the highest respect.

J. CALDWELL.

LETTER IV.

Fellow Citizens,

Qualified teachers necessary whatever plan of education is adopted.

I have mentioned some difficulties in the way of making provision for general education, most of which it is probably in our power to supersede. But one there is, of which

in our present situation, that is not to be said, and until it is removed it would prove alike fatal to all that could be proposed. It is the want of teachers qualified for the business of instruction, whatever be the mode of instituting and maintaining schools. To no purpose should we create a capital of a million and a half or two millions of dollars, if school masters could not be called into action competent to their office. This is a truth as vital as it is unquestionable. Teachers are necessary instruments to every system of popular education, and here, as in everything else, without the means, the end cannot be accomplished. It is a part of the subject, on which if it be not understood, it is most difficult to give the necessary explanation. Doubtless there are many, to whom a want of instruction would appear least likely to produce any embarrassment. For who is there able to read, write and cipher, who cannot teach a school? If there be any who have such opinions as these, an error more essential cannot be held upon any subject. That I may not appear to be speaking things extravagant and without authority, permit me to quote the opinions and declarations of others.

It will be seen in the course of these letters, that an institution for preparing school masters for their profession is regarded as necessary, and in the first instant at least as a competent provision in our own state, for general education. To this thought as an original conception by me I make no pretensions. It has been often urged and sometimes adopted in practice in other parts of the world. In the year 1826, Gov. Lincoln addressed the legislature of Massachusetts upon the subject in these terms: "The qualifications of instructors deserve much more of care and attention. To the great honor and happiness of the commonwealth, this employment has become an extensively desirable and lucrative occupation. It may be safely computed that the number of male teachers, engaged by the

School for training teachers.

towns annually, for the whole or parts of the year, does not fall short of twenty-five hundred different individuals, to which, if the number of female instructors, and those employed in private schools be added, the aggregate would amount to many thousands. Knowledge in the art of governing, and a facility in communicating instruction, are attainments in the teacher of indispensable importance to proficiency by the pupil. These talents are as much to be acquired by education, as are the sciences themselves. It will merit the consideration of the legislature, whether the provision for the preparation of a class of men to become the instructors of youth in the public schools, is not among the highest inducements to the measure, and should be an object of primary and definite arrangement."

"Nothing surely," says the *Journal of Education*, "can be more beneficial to the interests of our state, than the establishment of a seminary, which may furnish a constant supply of well educated teachers, prepared to enter on their office with accomplished minds, and enlightened views of the whole subject of education, as well as the best practical qualifications for instruction. Such a seminary cannot fail soon to become so popular as to support itself. But all its actual success must depend on the liberality with which it must be enabled to commence its operations; for a poor and imperfect institution, instead of promoting the object desired, would unavoidably fix and entail a low standard of qualifications on the part of instructors, and consequently a low state of public education."

Even Massachusetts has found such a school necessary.

Public education has never been neglected in Massachusetts. The first settlement of the state commenced with provisions for popular schools, that not a child should grow up in the new republic uneducated. It was felt to be a first principle, that in a free and popular state every member of it ought to be enlightened. These were men as strictly tenacious of original and inherent rights as any whose names are recorded upon the page of history. Are they to be considered as committing a breach upon these

rights, when they established laws for educating the children of the state? Such laws have ever been maintained through their whole progress to the present hour. We should suppose that among such a people, an ample supply of men could always be found well qualified to act as school masters. Yet we have seen what were the sentiments of one of their governors upon the subject and his recommendation to the legislature, that a seminary should be forthwith instituted for training teachers to the business of their vocation. In North Carolina no provision has ever been made for the maintenance of schools. Our population have spread themselves over the soil to the utmost limits of a large state, and the education of families has been wholly excluded from our policy. Is it likely, then, were we to adopt any plan of popular education at present, it could be carried into effect, without such an institution for preparing instructors, as is deemed necessary even in Massachusetts.

It is well known to have been an object for many years past in British India, to discover and put in practice the most effectual methods of diffusing christian civilization among the population of that country. It was in the prosecution of this object that Bell instituted his system of mutual instruction. It was soon considered as the most successful plan of instruction in elementary schools. Its peculiarities were so various, and so much depended upon familiar acquaintance in the teacher with these peculiarities, that few could adopt them from description, and none could fully understand and apply them in practice without witnessing the processes through which the pupils were passed in the whole course of their education. It was on this account deemed expedient to establish institutions called "Central Schools," whose purpose was to train up teachers qualified to take charge of schools as they might be formed in every place, and conduct them with the necessary skill. The reason why they were denominated

Bell's plan of central teachers' schools in India.

Central Schools, obviously occurs. They were points of emanation, fountains of light, from which knowledge was to be propagated in every direction, till it should reach the extremities of the empire. From the "*Christian Observer*," a publication second to none of the present age in talent and benevolent spirit I extract a brief notice, touching upon the subject of Central Schools, shortly after their commencement in 1820.

"The president and the members of the Bombay School Committee, after having provided for the education of European and Christian children of both sexes, have at length turned their serious consideration to the means best calculated for extending the blessings of intellectual cultivation to the native children of India.

"The result of this consideration has been the proposal of a plan, so palpably beneficial that it has already met with the complete approbation of the assemblies of two classes of the native inhabitants.

"A Mohammedan youth, the son of a Sepoy in the office of the chief secretary to government, who has received instruction for about a year at the Central School in the town of Bombay, gave, in the course of a rigid examination, such proofs of his capacity to convey to his countrymen the rudiments of tuition in English, on the plan of Dr. Bell, that the first class of upwards of twenty Parsee children was to be placed under his care. A prospectus of the proposed plan is now printing for the purpose of distribution, in order to diffuse among the native inhabitants a more general knowledge of the means about to be offered them, of educating their children more extensively, economically, and effectually, than has hitherto been in their power. A teacher of the Guzerattee has declared himself ready to attend the Central School, in order to prepare himself for instruction on Bell's Plan*."

* See *Christian Observer* for year 1820, p. 528.

Seminaries then for training teachers to act with ability in their profession, were established and proved of the highest benefit as early as 1820. It has been customary for such as wish to improve the art of education, and learn its best methods, to visit personally the institutions which have been thought to exhibit the best models. Scarcely a traveller passes through Switzerland, who does not make it a special object to visit Fellenburg's seminary at Hoffwyl, and formerly it was no less customary to look with inquiry into that of Pestalozzi at Yverdun. Lancaster's system was similar to Dr. Bell's, and who knows not the curiosity which has prompted numbers to witness the regulations of his schools where they have been ably conducted? The modes of business may be viewed for an hour or two with gratification, and we may become enlightened and convinced in regard to the best methods of instruction. But the art of teaching by these and other methods as they have advanced to perfection through many years past, is not to be acquired and appropriated in a moment. The knowledge of them is to be gained by minute study, the habits of its application in practice are to be established, the principles upon which the teacher is to live, and feel and act in his profession, must be planted and grow into strength, that he may intelligently and conscientiously adhere to them and take delight in them, and his dispositions and affections must be formed to the proper charities of his office. Do we think that all this can be comprehended, and assumed and confirmed in any individual in a moment, and that all we have to do is to pronounce that he shall be a school master, to convert him into a fit character to our hands? Such was not the opinion of Gov. Clinton on the subject.

"In the first place," said he in 1827, "there is no provision for the education of competent teachers. Of the eight thousand now employed in the state of New York, too many are destitute of the requisite qualifications. Per-

Fellenburg's school in Switzerland, and others, examples.

Gov. Clinton on the education of teachers.

haps one-fourth of our population is annually instructed in our common schools, and ought the minds and morals of the rising generations to be entrusted to the guardianship of incompetence? The scale of instruction must be elevated; the standard of education ought to be raised, and a central school on the monitorial plan ought to be established in each county, for the education of teachers, and as examples for other momentous purposes, connected with the improvement of the human mind.”*

What 200 trained teachers could do in this State.

It is no new undigested, or untried project, then, which is recommended to your adoption. If at this moment two hundred teachers could be produced from among us in the different counties of the state, all well accomplished for the direction of primary schools and universally known to have been formed and disciplined under a head master eminently skilled and of established reputation in the monitorial methods of instruction, we may assert with confidence that not a month would pass away, before they would be called into action. Nor would there be danger that we would be overstocked. The new methods of government, the unexampled alacrity of the pupils, the rapidity of their advancement, the evident influence upon their principles and habits, the total elevation of mind and heart under such tuition, would present the advantages of education they would impart with irresistible conviction. At the end of a single year it is not to be doubted that requisition would be importunately urged for a far more numerous body of the same description.

✓ We could use the interest of the Literary Fund to establish a teachers' school.

It is in our power without delay to commence an efficient plan of popular education, by providing such a corps of instructors and offering them to the people upon terms to which few or none could think beyond their ability. We have a literary fund to the amount of eighty or a hundred thousand dollars. Let it forthwith be profitably invested. Let its annual interest be applied for the erection of a central school, that is, an institution for prepar-

*Journal of Education, Vol. II, p. 118.

ing school masters upon the most improved methods of instruction. Let a head teacher be selected with time and opportunity for inquiry, from the whole field of the United States, and a salary be allowed him, to take charge of the institution, and in the central school let him train men sent to it from all the counties of the state, or at least from such as shall think proper to avail themselves of the opportunity. A single year need not pass, after teachers thus formed should have commenced their operations, till a demand for them would be heard, clamorous for more than could be supplied. Give us such teachers as those, would be the cry, and we too will have a school for our children. I am, fellow citizens,

Yours, most respectfully,

J. CALDWELL.

LETTER VI.

Fellow Citizens,

My object in the preceding letters has been to explain the reasons for circumscribing and concentrating our views upon a plan for effecting popular education, which is now to be detailed. We have looked at the obstacles which usually meet us upon this subject, to which is to be ascribed an abortion of such laws as are commonly proposed for its accomplishment.

Purpose of former letters.

Let a central school be instituted by the legislature, for the purpose of educating and preparing instructors of elementary schools for their profession. It is denominated a central school not because its situation is necessarily to be in or near the center of the state, but because wherever it is it will be a point or focus from which education is to emanate with diffusion to every part of the country. The provision of it evidently implies that the business of an instructor in popular schools, is itself an art not to be comprehended, and established in the habits of an individual, without much time, education and discipline for its forma

Central school for preparation of teachers; necessity for it.

tion to it. It implies too, that the methods and results of education in these primary schools have become vastly, nay totally different, in their present advanced stage of improvement, from school keeping as it is for the most part still practiced among us. For the reality of this it is not asked of any who have not had opportunity of information, that they take it for granted from the declaration of the individual. Numbers among ourselves can attest it to a greater or less extent by their knowledge, and the world abounds with publications to illustrate and confirm it. Some examples of this evidence have been selected, and are presented in an appendix to these letters. Let even these few be carefully perused, and it will begin to appear that so various and comprehensive are the objects of well trained and qualified teachers at present in their profession, that a man can scarcely be supposed to become intelligent, prompt and skillful, in less than eighteen months or two years, with diligent and well guided application through the whole time. In its merits and the importance of its effects, it claims the first attention of a people. It befits the dignity of the wisest and most enlightened legislature, and is worthy to be sustained by the zeal and energies of the state.

Central school to have two years' course of study.

Cost of education to the people would not be increased.

Nor is it to be supposed that the education we recommend is too extensive or costly. The expense of such schools as we propose will probably be the same as it is in the present common schools of the country, or but little different. The time allowed to it by the parent will be discretionary with himself, while the whole manner and value of the instruction will be incomparably superior. With unhesitating confidence we may affirm that it would redeem the cause of education from the deplorable degradation to which it is sunk, and the public mind, by the convictions it would produce, would undergo a total regeneration in its sentiments upon the subject.

A board of education being appointed by the legislature,

consisting of men wisely and dispassionately selected, their first business would be to determine the site of the institution. The choice would properly be governed by the circumstances of health, cheapness of living, vicinage, facilities proffered, peculiar adaptation of service to the objects in view, the easy constitution and maintenance of a primary school for exemplification, accommodation to the whole state, and possibly proximity to the seat of the legislature.

Central school
board; observation
school.

A head master or principal teacher must be sought out and appointed to take charge of the institution. As the success and efficacy of every plan of public education must chiefly depend upon its execution, nothing will be of greater import than a happy choice of the master who is to manage the details of the institution, and stand as a pilot at the helm. He should be one uniting much experience, sound discretion, a vigorous and well regulated mind, correct principles, regular habits of life, and a heart ardent with the benevolence of training up the rising generation to usefulness, the social virtues, to all the "charities of father, son and brother," and to the best prospects of a happy immortality. By past fidelity and success he should have already given proof of a mind fertile in resources, adapting itself to occurrences, and replenished with expedients practically ascertained in the most distinguished institutions during many years past, while the arts of education have been rapidly advancing to their present perfection.

Teachers for the
central school;
importance of a
trained principal.

I might enlarge much on the selection of the principal; but though numbers may be found who combine all these qualifications eminently, and at least sufficiently, for it is honorable to our age that it is singularly productive of characters thus accomplished, many might distrust the possibility. They might apprehend that if our success is to depend on the discovery and employment of such a teacher, our hopes are scarcely to be admitted as feasible.

It is true that if we must find him among ourselves, our efforts might end in disappointment. Nor let it be imagined that this is said from an opinion that our own population does not furnish as large a proportion of mind as any other upon earth, susceptible of every capacity and accomplishment we could desire. But we will know that the methods of primary education have been but little cultivated among us, and it is a necessary consequence that they must be less understood here, than in parts of the world where they have been assiduously studied, and reduced to practice with the best opportunities.

The school interior.

The principal should be a member of the board of education, and it would be of consequence, could the appointment be previously made, that he should be liberally consulted respecting the form, the size, the extent of school rooms, and on their furniture and its disposition, that the various purposes of a whole system may be best consulted, every movement performed with order and facility, and the whole management be conducted with interest to the scholar, and a distinct understanding between himself and the teacher. Schoolrooms thus constructed become patterns, no less than the modes of instruction, to the teachers reared in the central school, to the best proficiency in their vocation.

Duties of the Principal.

Lectures are there to be given by the principal, on the different methods of instruction, the ends to be kept in view, and the true means of success in their attainment. The manner of addressing the minds of the children, and of influencing their affections would be explained. The benevolent, elevated, and pure principles which properly characterise the profession of a teacher, would be set before the candidate for the office, until they should be admired, imbibed and become habitual to his bosom, and flow forth in his actions and intercourse. The consequence must be that he would be captivated with their harmonies, their moral beauties and their effects. He would carry them

out into the practice of his occupation. He would prefer and enjoy them for their excellence, improve upon them with intelligence and a virtuous emulation, and persevering in them from choice, would elevate the standard of knowledge and morals in the community which had chosen and patronized him for these generous and important purposes.

✓ The literary fund of North Carolina, if I mistake not, amounts to a hundred thousand dollars. This is amply sufficient for the creation and support of the institution of which we speak. Let the money, bank stock, and other property of which it consists, be examined and the means devised of converting the whole, or as much of it as possible, into active and productive stock at the rate of six per cent. The annual revenue from it would be six thousand dollars. The buildings should be of the plainest sort. Nothing supernumerary beyond necessity and a plain accommodation, should be permitted to enter into their composition. Their use is for men with whom utility is to be the object of supreme value, and who should be enured to pursue this with an inflexible purpose, putting down everything that is enjoyment or convenience only and yet not indispensable, under their feet, as of minor consideration. Such views should be sedulously interspersed and incorporated into the whole texture of their education, by the master who disciplines them, and by the government which calls them into action. Health and the propagation of knowledge in the elementary education of the state, should be the great objects kept steadily in view, and no considerations of bare indulgence or ease should be permitted to interfere. The man whether young or of middle age, who will not adopt these principles, and be faithful to them in practice, through his whole course in the central school, giving assurance that he is not to relinquish them in future life, it were better at once to set aside, as one that has put his hand to the plough and is looking back. Let us admit no weak fears that men enough cannot be found in every

The present Literary Fund of \$100,000 will support the schools; guiding principles.

county in the state to accept the conditions and abide by them. Perseverance for a time, with rigorous adherence to this system, will clear away all obstructions, and give the education of our school masters a true and constant direction. Upon this species of discipline in the institution, the eye of the principal of the board of education, and of the legislature should be specifically and vigilantly directed every day and month and year of its history.

The buildings constructed with simplicity and the utmost plainness, need not cost much. But let them not be abridged of ought that is really necessary to the efficacy of business.

Introduction of manual labor to be considered.

Whether grounds should be annexed for manual labor, and to aid in the subsistence of the candidates, is an inquiry worthy of consideration. Beside hardy exercise united with usefulness, it would tend to rescue bodily toil from the degradation which is connected with it, by a cause of unhappy operation among ourselves. Such employment would act powerfully in preventing the candidate from being corrupted by impressions that he is to be regarded as one entitled to privileges and exemptions. He is to be a man that knows no vain distinctions between himself and the humblest citizen of the state. On this subject it is of the utmost importance that his views and feelings be steadily conformable with the true and correct standard of usefulness and virtue. His proper maxim is: He that exalteth himself shall be abased, but he that humbleth himself shall be exalted.

\$6,000 sufficient for buildings to begin with.

The sum of six thousand dollars is competent to the preparation of the buildings, and to place the principal upon a salary from the beginning. Parts may afterwards be added, as necessity may require. Observation, experience, larger information, may doubtless suggest improvements, which it will be easy to supply.

Summary of the foregoing letter; an appeal.

The literary fund now lies dormant and unproductive. The education of the people sustains an ever during cry in

our ears, with an importunity that is heard in every household, in our streets and highways, our fields and workshops, our schools and churches, our courts of justice and our halls of legislation. Shall we delay a moment to listen to the summons, when it is in our power to act? Should it be thought expedient to continue the enlargement of the literary fund in accordance with views originally meditated by the legislature, the instant application of that which has already been created, cannot interfere with such a purpose. No scheme of public education can ever be carried into effect without an abundant supply of teachers well qualified for its execution. We can commence the preparation of these without a moment's postponement. Who knows but that such a provision of school masters as it is in our power to make, to answer the calls which will be everywhere heard for their services, as soon as their merits shall be known, may prove all that the legislature may find necessary for giving existence to the very best of schools, by spontaneous action through all the counties and vicinities of the state. Should this be the issue, then all that mighty accumulation of capital, to the amount of a million and a half or two million of dollars, may be dispensed with as an unnecessary cause of delay, an unwieldy apparatus, a useless burden upon the people. A strong probability, if not a satisfactory certainty of this, will further appear by expositions yet to be developed.

I am, fellow citizens,

Your very obedient servant,

J. CALDWELL.

LETTER VII.

Fellow Citizens,

How, it will be asked, is the school proposed to be filled with candidates for the profession of teachers? In every county which shall choose to avail itself of the privileges of the institution, let school commissioners be chosen by

How pupils will be supplied for the school; commissioners in each county to select pupils; county to pay \$100 a year expense for each; every pupil supported bound to teach.

the people themselves for as long a time as shall be thought proper. The number should be as small as will ensure intelligence and fidelity. Five or seven would probably be better than a larger number. We may propose to increase wisdom by enlarging the body, but let us remember that responsibility is weakened, and efficacy lost.

The school commissioners being appointed, they are to govern themselves by the rules prescribed by the legislature. For a limited time previously published, they will receive the names of such applicants for education to the profession of teachers as shall choose to offer. From these they will select as many as the county will consent to support at the central school at a hundred dollars each per year, through the time required for completing an education. If more than a hundred dollars be necessary, let it be added by themselves or their friends.

The candidates before admission may be required to enter into bond with competent security to the county commissioners, that should they afterwards desert the profession for which they were educated at the public expense, they shall replace the sum expended by the county upon their education. They may however be released at any time from this obligation by the school commissioners, should these think proper to remit it. Let it be understood also, that the first three months after the entrance of a candidate into the central school, shall be a period of probation. At any time during this period or at the expiration of it, he may be discharged from the school by the board of education, or a majority of them, with or without reasons rendered for such dismissal, as they shall think proper. He may be dismissed also, at any time afterwards for misconduct, by the same authority.

Every candidate taught at the central school, when his education shall have been completed, shall receive a certificate to that effect from the board of education, signed by the principal of the school and by the other members or by

a majority of the board. And every such qualified instructor shall be bound to teach in the county which has educated him, subject to the direction of its school commissioners, upon such general conditions and regulations as the legislature shall ordain.

Public examinations should be statedly held, of the candidates in the central school, at times and places appointed by the legislature, exhibiting the state of the institution, its progress, and its prospects. They may suggest any improvements indicated by experience to be expedient or desirable.

Examinations,
observation school,
where graduates
will teach.

A library should be provided for the central school, and the books purchased for it determined by the board of education.

The central school should always have one or more primary schools of children and young persons connected with it, for exemplification to the candidates of the instruction in such schools. These being conducted under the direction of the principal who receives a salary, should afford tuition gratuitously to the pupils.

It is evident that when the masters educated in the central school should return to their counties, their services are supposed to be for the benefit of such neighborhoods as will erect schoolhouses, and proffer the sum requisite by law for the tuition of their children. The expense is incurred voluntarily, and not by compulsion; yet the excellence of these schools, the advantages they confer, the moral influence they produce, the interest they excite in the pupil, the beautiful and impressive order of all their processes, the variety and copiousness of their instruction, the kind and benevolent sentiments they diffuse through all hearts, the sense of rapid progress and valuable attainment pervading the mind in the performance of their different offices, the neat and regular order of their movements, the quick succession of their numerous exercises developed at the word of command, and preventing weariness by fre-

What will be
effected by the
trained teachers.

quent and seasonable changes in employment; in short the delights of reason excited by novelty, of imagination by appropriate narrative, and of complacent feeling flowing from the bosom of the teacher as a living spring, all combine to produce an irresistible conviction that the privileges of such instruction are inestimable, and that a failure to improve them when offered to our families is an irreparable loss. I repeat, if these descriptions of the present improved modes of instruction in primary schools appear extravagances, it is because we are forbidden to look upon them by their inaccessible distance from us in other states and other countries. It is in our power, by the action of our legislature, and by a fund now in our hands to transfer them with all their blessings and benefits to ourselves. Shall we hesitate for a moment upon a question of so much importance to our own happiness, the happiness of our children, and the welfare of the republic? Do we still hesitate respecting the reality of these representations? The whole amphitheatre of christendom is full of their proofs, and can it be that they have never penetrated to us by the rays which the press is dispensing around us. The present is a period of improvement, and it has elevated the methods of education in correspondence with the perfection of other arts. Let us all look into this matter for ourselves, for it is a subject which most deeply concerns us. I would not be an egotist, but if I have ever spoken or acted in any thing involving our interests as a people, I would hope that it might all be found to have been in truth and verity, in nothing at variance with experimental certainty. How is it a privilege for us to live in the most enlightened age, if its wisdom be unstudied, its advantages unsought, and some of its effects of the very first importance be rejected from our credence, because we have never brought them within the scope of our inquiry.

The demand for
trained teachers
will increase.

Let us be willing then to admit that when such teachers as those of whom we speak, are represented to our people,

the demand for their services will especially at first, be greater than the supply. Were there two of this description in every county, two vicinities at least within its compass should speed to their employment. When the experiment shall thus be exhibited in the presence of parents and their friends, we need not fear the result. The struggle would soon be between those who already possessed them, to retain them still, and others who would not relinquish their rightful claim to an equal share in the advantages of their instruction. Should this be the case, their labors would be distributed among different schools for such terms as three, four or any other number of months, under the direction of the school commissioners of the county.

Were we to suppose a candidate to be sent to the teachers' seminary by a county every year, and the time necessary for completing his course of preparation for the instructor's office to be two years, the county would have two candidates constantly upon the list of the school after the first year, at the cost of one hundred dollars each to be defrayed by its people, and every year one would be added to the number of its teachers. The demand for these masters would probably be least pressing at first, but it would likewise increase as the people should become familiar with the merits of their instruction, and be able to report themselves to the school commissioners prepared with a school-house and compensation for their employment. The augmentation of their numbers, and the call for their services, would, from the circumstances be likely to keep pace with one another. In counties which might be indifferent to the subject, and such possibly, nay probably there would be, the provisions of the law would imply no necessity of engaging in the practice of the system. From such counties no candidates would be sent, and in them, as is reasonable, no advantages of elementary education would be enjoyed. But it is highly probable, if not morally certain, that this could not long continue. Even if the people of

If any county fails to send pupils, then individuals in the county should have that privilege.

a single vicinage should at any time resolve, by common consent to send a candidate to the central school, at their own expense and for their own behoof, they should not only be at liberty but encouraged by public sentiment to act a part so creditable and meritorious. This in many instances would in all probability be done, especially when the county engaged not in the plan, or when the teachers being yet few, their services in one neighborhood must be curtailed to a brief space of time at a single place. Efforts of this kind, while they would make wiser men independent of opposition from the reluctant population around them, would break down resistance, and dissolve prejudices, in portions of the country where they unhappily existed, until all at length should voluntarily concur in conceding and estimating the advantages of education.

Other States might
desire to send
pupils.

Should North Carolina resolve to establish a central school of the nature here described, it is not improbable that its privileges might be admired and craved by some at least from sister states around us. Should this prove to be the case, we should doubtless open the doors of her institution for their reception, which accords with a spirit of liberal accommodation worthy of the cause in which we should be engaged. How far the institution might receive aid from the funds thus created certainly cannot be foreseen, nor is it of much consequence to consider.

I have thus sketched with as much brevity as I could for a distinct intelligence to the subject, the plan which it is the principle object of these letters to suggest, for commencing, at least, the prosecution of popular education. It will appear that it involves no taxation by the legislature, since the necessary ways and means are actually at our disposal. It wholly waves the creation of all that vast capital, which from the example of other states, has been thought indispensable before we could begin to move. In all its provisions and details it imposes no compulsion, should there be any counties of the state who might choose

to decline its offers. It proposes to influence only by conviction of its benefits, and the value of its advantages, relying on the attractions with which, when fully developed, it will win all to the knowledge of its excellence, and the adoption of it in practice.

That it is high time for us, for the whole people of North Carolina, to look with more intentness than ever upon the subject of popular education, and to devise the means of it, is a sentiment in which surely most of us if not all will cordially concur. It claims from every man, especially from every head of a family, faithful and dispassionate consideration. How can it be otherwise than that a deep impression must be felt in the mind of every considerate man, of its indispensable necessity to a people who have remained to this late period destitute of its privileges. Our country presents to ourselves and to the world the spectacle of a strange abstraction from light and knowledge, impenetrable to their beams, while they are falling upon her externally with the meridian splendor of science, religion and the arts. Can anyone who feels toward her any affectionate desire, who wishes for her respectability, who would see her raised out of intellectual darkness and desolation that hovers over her and settles with pervasion through the minds of her offspring, fail to be impressed with a conviction that we can no longer postpone the day of action upon the subject?

Shall we still plead that our physical ability is inadequate; that we possess not the means? To what distant period then are we to look, in what more auspicious condition must we be placed, to be conscious of strength enough to set forth in the attempt? What future prosperity of growth is in our prospect, which shall take from us all excuse of delay, and dispossess the spirit of supineness that reigns in our bosoms, of the sceptre which by its torporific touch benumbs all our faculties? We are a nation in all the vigor of early manhood. If the sound of war ever reaches our ears, it is not to afflict or even to threaten

High time to devise
some means of
popular education.

No time in the
future likely to be
better to begin this
work.

us with its ravages, but only to remind us that through forty seven years of peace out of the last fifty of our existence, we have continued under the fostering care and protecting shield of a kind Providence, in the full opportunity of growing prosperity in our worldly condition. No taxation has weighed heavily upon us. We glory in the energies infused in the heart, the muscles, and the sinews of our popular system, by the plastic force of civil liberty. A comparison with others in power and privileges would flush our cheek with disdain and indignation. We have a country inferior to none of the original states in soil; in climate it is far superior to most, in the mildness of its winters, in the diversity of its productions, and in the renovation of its crops. In the midst of these sources of wealth and opportunity, our children are left to grow up unpruned and uncultivated as the forest of the brake which the hand of our industry has never touched. This continues to the present hour, while it implies an almost total exclusion of knowledge, like the opacity of incarcerating walls, in the last and most enlightened age of the world.

Before closing this letter, I shall present a practical statement which cannot but make a deep impression of the importance of popular education, and of providing for the diffusion of it without loss of time. It is extracted from a report of the managers of the school society in the City of New York.

Wealth is found in proportion to education.

“National wealth proceeds chiefly from activity of mind, and must therefore be proportioned to the extent and universality of its development. It appears by the statement of Baron Dupin that in some parts of France, those who are educated are one-tenth in others one twentieth, in others only one two hundred and thirty ninth of the whole population, and that the national revenue from these districts is nearly in corresponding ratios.”

Other advantages besides increased wealth.

But it is not in material productions or pecuniary wealth only that education displays its most estimable effects in the employments of the understanding, in the virtues of

the heart, in the effects of these upon the energies and resources of the state in elevating, purifying, and enriching the enjoyments of life, and in training it by an enlightened piety for heaven, are to be seen in its most signal and sublime influences.

Culture's hand
Has scattered verdure o'er the land ;
And smiles and fragrance rule serene,
Where barren wilds usurped the scene.
And such is man—a soil which breeds
Or sweetest flowers, or vilest weeds ;
Flowers lovely as the morning light,
Weeds deadly as the aconite ;
Just as his heart is trained to bear
The poisonous weed, or floweret fair."

I am, fellow citizens,
Your obedient servant,

J. CALDWELL.

LETTER VIII.

Fellow citizens,

It is no new or singular opinion of mine, as I have already shown that education is necessary to prepare men for the school master's profession, as the lawyer, the physician, the mariner, the cabinet maker, and men of other professions are trained with much application to their several employments. Of this we should all certainly be convinced, could we become minutely acquainted with the methods of instruction, in their present state of improvement, and in the perfection they have attained. If knowledge of these has not yet reached us, it is with difficulty that we shall realize their extent, or estimate their merits. They are to be seen in the various objects upon which the labors of the teacher are directed, the means proved by past experience to combine the greatest efficacy, and the

Education necessary to prepare any one to teach.

feelings, dispositions, and principles to be sustained in himself, and established in the bosoms and habits of his pupils.

Were all these actually exhibited in the order and time requisite for their practice, they would afford an explanation more lucid, and impress us with proof more conclusive, than all that could be said upon the subject, though we should listen with unflinching patience to the most luminous details. Such exhibitions are unhappily inaccessible to most, if not all of us. No interests that concern us as individuals, and in our national character we may confidently affirm, are in importance compared with this.

That the education of the young consists in learning to write, read, and cypher, and in these only is a common and pernicious error. Were this opinion correct, no institution would be necessary to qualify men for the business of instruction. It would be to swell the machinery beyond all proportion to the little purposes to be affected.

The true aim of
teaching.

If we look no further than these it is an admitted impossibility to show valid reasons for the necessity of the apparatus which men of the first authority have pronounced indispensable to elementary education. To govern and maintain order in such schools is an additional talent, but though this were included, we would still fall immensely short of the ends affected by the present modes of instruction. They conspicuously relate to the elicitation of thought and the enlargement of the faculties with aptness and variety; to the discipline of the affections, to the principles and habits of action, to the knowledge to be selected and repositied in the minds of the young. Hundreds are able to read a book, to perform the mechanical operation of writing even handsomely, and to solve all the questions of arithmetic, but not one in a hundred is qualified to act upon the hearts and minds of the children, and mould them in the true principles of personal virtue and social intercourse. The man who has not learned to unite

both the mechanical and the moral, in the whole selection, order, and spirit of a system as comprehensive as it can be made, not by suggestion of his own mind only, but by the ingenuity, experience, and wisdom of others, is deficient in the talents which every master ought to possess, and which by the opportunities of a well constituted central school it is easy to furnish.

Reading, spelling, writing, arithmetic, and geography, Present methods of good teaching. constitute the basis of modern education in primary schools. The system is now left in this unhappy and unquestionable figure of a mere skeleton. Nor is it left to cover itself with flesh and features as accident shall direct, according to the fatal influences of companionship, or the crude notions of one who has dropped into the profession of an instructor, cut of the accidents of life, perhaps out of it vices, weaknesses and follies and irregularities. Fullness and proportion have been given to the system. In the maturity of its growth it is presented to us with graceful outlines, the interesting expression of benevolence and good sense, healthful complexion and compactness of constitution, to fix at once our confidence and admiration. The essential subjects of art and intelligence in the education of a child are incorporated and intermingled throughout, with the best moral influence that should reign in the heart, illuminate the features and give its own proofs of inward reality by the outward action.

By the later improvements, celebrity is gained in the acquirement of the physical part of education. Variety and extent of information are increased. Promptness, force, and aptness of skill in the use of the faculties are acquired. Interest and pleasure and not necessity, are made the inspiring and animating motives. These we shall admit are high recommendations. But to these are superadded others of most eminent value, without which too many proofs exist that education is a "curse instead of a blessing." It is the watchful and incessant study of

—an instructor to reform the affections and mould them to their true standard. The government of the passions becomes habitual in the converse of the school. It is made as distinctly an object to repress selfishness, impatience and insolence, as it is to communicate the knowledge of the rule of three or practice in arithmetic. The virtues are kept steadily in view in all that is said or done. They are held up prominently to the eye of the pupil by examples and in impressive and brief narratives, in small books admirably composed and compiled for the purpose. Faults and vices of mind and conduct are set forth conspicuously, as they occur in the subjects taught, or in the feelings and actions of the child, in a manner to convince him that it is not to wound and mortify, and to indulge in a spirit of crimination or irritability, but to show him his errors, their unhappy effects upon his habits and his happiness, to infuse into his bosom the feelings of equity and complacency, to captivate him with the virtues for their excellence, and for the richness of their fruits, inspire detestation of vice for its hideousness, and its odious effects upon himself as well as others.

The course of study
broader than
formerly.

In the education of popular schools matured and perfected as it now is, are combined the acquisition of art and knowledge, the formation of moral character, and the invigoration of the faculties. The progress of the scholar in one of these branches only, the arts of reading, penmanship and numbers is pushed to far greater extent in the same compass of time than under the old system. But both the others are simultaneous accompaniments that elevate the character and enhance the value of education, investing it with an aspect and excellence of a far superior order. Even the amusements of children are included among the objects of the teacher. While he studies to make them interesting, they are directed to the innocent and humane feeling, the exclusion of vicious and impure motives, and to the most salutary exercises of the limbs and muscles. Modes of influence and control in the whole conduct of

business have especially been consulted, which render severity of punishment unnecessary, secure diligence by the delights of variety, by seasonable changes in the subjects, by exemplifications for illustrating them, by emulation without envy, by curiosity, by reason, by dexterity, by accuracy in order and movement at the word of command. The child thus taught takes pleasure in the school, is unwilling to stay away, becomes intent upon its occupations and the interests they excite. All this is associated with the best dispositions, the preference of the virtues, a rejection of bad principles and hateful feelings, the love of the master, kindness, deference, and obedience to parents, and good will in intercourse with all. Here is no gloom settled upon the mind and clouding the brow from apprehension of stern vigour, or impending punishment, no oppressive weariness from unchanged posture for many hours, and unvaried subject of study for successive days. In schools such as those of which I speak, it must follow that more of everything will be required. The heart of the pupil will be imbued with virtuous principles and amiable qualities. He will be prepared for action in all the relations of life and in social intercourse in love of industry, cheerfulness of disposition, order of business, quickness of thought, alacrity in action, and fertility of resources.

Some will probably doubt of the reality of such improvements, and whether all these splendid results in primary schools are attainable. In this incredulity most men would have concurred, even at the close of the last century. But since that period scarcely any art has advanced with more rapid march to eminence than elementary education. The present age is replete with proof that is not safe to imagine or to pronounce what is possible in improvements in any department of knowledge or practice. Had we been told at a period not far remote, that it was practicable to travel fifty miles an hour on land; that a single

Many ignorant of
the recent progress
in education.

horse could carry from ten to fifty tons on level ground; that the time would come when men could mount into the region of the clouds, and descend into neighboring countries; that methods might be contrived for diving to the bottom of the sea, and for carrying on submarine labors and discoveries, what would have appeared more incredible, and yet we well know that all these are practicable realities.

Some may question the possibility of determining the distance and size of the sun, moon, and planets, their motions and exact places during the whole long tract of time assigned for their existence; yet to the mind most tenacious of doubt on the perfection to which science has attained on these subjects, the prediction of eclipses and of the reappearance of some comets must enforce an admissibility scarcely to be questioned.

And why should we be sceptical respecting the improvement in the methods of education more than in those for effecting other purposes? Fixing our eye distinctly upon each of these, may not a faithful and practiced ingenuity invent and arrange means peculiarly and powerfully fitted to accomplish them all?

It can not surely be that teaching alone has not lately made improvement.

That an end more important than the best education of the young, cannot be placed before the human mind, the very attempt to prove to any man would be an impeachment of his understanding and his heart. Let us be assured that the profession of a teacher has not, among all the arts and professions of civilized society, remained without improvements so various and so apt in their connection and agency, as to be complicated and powerful in the production of their effects. We may now avail ourselves of the very circumstance of this elevated advancement in the system, in its operative powers, and in the quality of its fruits to excite an interest and an avidity in every bosom which will ensure a diffusion of it through the country, by the facilities which it is in the power of the

Legislature to afford for its dissemination among the people.

These ends will be accomplished by a central school under the tuition of a man fitted by his dispositions, his virtues, his knowledge of the most approved methods of primary education, and his address acquired in their practical application. A body of counsellors in a board of education appointed by the Legislature will at once sustain him in the functions of his office, and act as the medium of communication with that body, and the link binding him by the necessary responsibility. This institution will furnish an educational corps, augmenting from year to year, to be called into action as fast as their numbers can be increased. An analogy may be perhaps seen in the corps of civil engineers educated in the military academy at West Point, the members of which are incessantly called into active employment on plans of internal improvement through the different States of the union. The education of schoolmasters can never terminate ineffectually. Whenever we shall adopt any scheme of popular education, let it be what it may, it can never be carried into successful operation, without the supply of professional men properly trained to their vocation.

What the central school will do.

I am, fellow citizens,

Your obedient servant,

J. CALDWELL.

LETTER IX.

Fellow Citizens,

To the man who enjoys the privileges of education, and is humanized by its influence, no prospect can be more painful than that of a people destitute of its opportunities. It has ever been the object of tyrants to keep their subjects in ignorance and blind them with superstition. A man may desire the same thing from other motives which the tyrant desires for security to his power. "He may wish

Humanity pained to behold ignorance.

all mankind to remain in ignorance of important truths, when the most important truths that could be revealed to them, were to be the discovery of any other genius than his own. When a statue had been erected by his fellow citizens of Thasos to Theagenes, a celebrated victor in the public games of Greece, we are told that it excited so strongly the envious hatred of one of his rivals, that he went to it every night, and endeavoured to throw it down by repeated blows, till at last unfortunately successful, he was able to move it from its pedestal and was crushed to death beneath it on its fall. This, if we consider the self-consuming misery of envy, is truly what happens to every envious man. He may perhaps throw down his rival's glory; but he is crushed in his whole soul, beneath the glory which he overturns.

Tyrants dread
popular education.

“The monarch may dread popular education, on account of the light which it sheds into the national mind respecting the great objects of civil government, and the abuses of power. The republican too, may regard with malignant eye the diffusion of knowledge among the people, if he apprehends that it will impair his own influence, or threaten his comparative estimation in the community. To the sincere and enlightened patriot, it is of no consequence whether the equal rights of his fellow citizens are secured and her popular institutions promoted in connection with his own personal aggrandizement, or by the knowledge and the abilities of others around him. Let the ambitious citizen, who resists the diffusion of education and mental culture, or fails to propagate them throughout the whole population of the State till they reach the utmost extremities, beware lest he be found chargeable with promoting the same cause among the people, as is dearest to the heart of the despot, who sees in their illumination the overthrow of his selfish and capricious sway.

“A government like ours, which guarantees equal representation and taxation, trial by jury, the freedom of

speech, and of the press, of religious opinion and profession, not only depends for its energy and action but for its very existence upon the will of the people. And are the rights of mankind and the obligations of civil society, generally, understood or respected by the ignorant? Has property, or reputation, or life, when left to depend upon the wisdom of ignorance or the forbearance of passion, ever been accounted safe? And where is human character usually found the most degraded and debased? Is it where schools and the means of education abound, and where the light of knowledge never illumined the human intellect? If then, the habits, notions and actions of men, which naturally result from the ignorance of letters, from the force of superstition, and the blind impulses of passion, are utterly incompatible with a rational liberty, and every way hostile to the political institutions of freedom, how high and imperious is the duty upon us, living under a government of the freest of the free, a government whose action and being depend upon the popular will, to seek every constitutional means to enlighten, and chasten, and purify that will? How shall we justify it to ourselves and to the world, if we do not employ the means in our power in order to free it from the severe bondage of ignorance and passion, and place it under the mild control of wisdom and reason?"

These are the sentiments of a committee of congress in their report on popular education in the year eighteen hundred and twenty-six. They are cardinal truths upon which the security and success of every free government must forever rest. The education of which we speak is not that of academies and colleges. The numbers trained in these institutions must be comparatively small. They are absolutely indispensable to fill up certain departments of service for the complete organization of a State. As well might we think to leave out some of the wheels of a clock, as to omit them from the constitution of society.

The education of the people necessary to preserve our social institutions.

As few, however, are required in comparison with the whole population, to fulfill the purposes to which they must necessarily be provided, so it is but few who are in circumstances to bear the expenses of education so extensive. The wisdom of Providence is exhibited, in making the supply coextensive with the demand. The man who thinks they are unnecessary has need to learn yet the first rudiments of civil society.

Can only address
the educated.

But the education which is exclusively the subject of these letters, is derived from primary schools, such as have already been described in the best perfection they can attain, both moral and physical. All that I have said or can say is to the educated only, since access to one who knows not letters is closed against this, as well as all else that issues from the press. He may indeed "hear of it by the hearing of the ear," but it will be to him as a distant and confused sound, the import of which he can little estimate.

The helplessness
of ignorance.

Let us place up to the eye for our consideration the thousands, may I not say the hundred thousands of people, old and young, that cannot read. With this prospect under our view a little time only, could we convey in competent expressions the reflections which it would excite in our bosoms? A wilderness of minds springing into life, and advancing through its tract of years, untaught, untutored, groping their way in darkness, except where a few rays break in upon them from the floating information of the time.

Social conditions
which ignorance
brings about.

Let us look into the dwelling of many a family, into which a book has never entered. A throng of children is presently before us. They are growing up in all the wilderness of nature. Their expression is marked with no traits of gentleness or the mild affections to engage the eye; no lineaments denoting intelligence made interesting with variety of thought. An inquisitive and wondering gaze indicates that the emotions and ideas excited in them are

vague and indefinable. The indurated muscles and sharpened features, manifest the want of a humanizing influence within. The veins swell not with a free and expanding flow, illumined and sweetened by the genial and diversified actions of the heart. How shall it be otherwise, since no culture of the mind, or the affections has ever softened the original asperity of nature, and the countenance is the index of the few accidental thoughts and unmitigated dispositions that reign within? No system appears in the household of a mother, who in like manner was cast upon existence without a moulding or directing hand. She too was left to take the path which might offer to an eye untaught to discriminate, and to pursue it whithersoever its random course might lead. To her offspring she has imparted life. Her instincts have impelled to her to appease the cravings of their appetite, and to guard them from instant danger. The father has never been qualified to teach his children, or train them to a system of principles and conduct. He too was destitute of the knowledge requisite for their instruction, himself having never learned. In the rising race no respect for parents appears; no affectionate regard for their warning voice. No control of the passions is discoverable in words or actions, no self-denial, no quick compliance with the directions of a mother, nor of a father, unless from apprehended wrath which may burst into an incalculable storm. Who of us has not observed in the children of such circumstances, a ferocity and uncertainty at which the spectator recoils with indefinable apprehension for the consequences. Their motives to action are the feelings of the moment. These succeed each other with caprice unchastened by a wisdom which knows their native and growing violence. Their menacing impulses strike the ear from any chord in all the wide diapason of the passions. Even in their sports a jarring and discordant harshness is felt with sensations at once painful and portentous. Their resentments give

evidence of revenge conceived, repressed perhaps by the fear of a power to revenge with superior force. In grief or joy, extremes still predominate, marked with sullen depression or violent transport. In intercourse they are gregarious rather than social. To strangers they look with suspicion; perhaps they fly with panic, suggesting anew whether Hobbes may not have been right in his inhuman doctrine, that "a state of nature is a state of war." To infant minds placed in the moral desert, no God occurs as the creator of the world, the disposer of events, an object of reverence, gratitude, love, obedience, or fear. Dismal superstitions crowd their thoughts of an invisible world. Witchcraft and wandering ghosts often fill their conversations with horror and their bosoms with dismay. Conscience knows not its proper office, and becomes hardened in insensibility, after being long ridiculed for its superstitious fears. The true God is scarcely known to them as their heavenly Father, whose presence may encourage them in goodness, deter them from evil, and console them in distress. No Saviour is understood in his proper character, radiant with the beams of mercy. No gospel of peace can find access into the bosom of one who cannot read its messages of grace, and who is surrounded by others equally excluded from them. No Spirit is known as a monitor of good, to soften the flinty heart, to dissolve it in the penitence of guilt, to enamour it with the beauties and glories of the divine nature, and assimilate it to the pure and blissful atmosphere of the skies. To one thus destitute of opportunity and education, heaven is out of sight, and hell but a note in language, to which his voice and his ear have been turned to give force to folly, or to vent the violence of the passions.

To some this may appear an overwrought picture of the consequences resulting from the want of education. These, however, are its proper fruits, and will be found exhibited in fact in portions of the country, where most of the popu-

lation have long been destitute of knowledge with its enlightening and meliorating influences. To such issues human nature tends when wholly left to itself. Doubtless numbers exist, who, ignorant of letters, with minds never opened by information and moral improvements, are amiable in intercourse, and of high worth as members of society. From the influence of vicinage, and a peculiar action of circumstances, they have retained much perhaps of the primitive stock from which they have descended, or by the attractions of surrounding excellence, they have framed themselves to its habits by the example of a well instructed and virtuous community. It is happy for them, that though without knowledge themselves, they enjoy many of its blessings, intermingled as they are with others who diffuse around them its genial and elevating force.

It has long been ascertained, that from the uneducated part of a people offenders of the darkest hue come forth to fix the eye of society upon their deep depravity, and the enormity of their crimes. This has been confirmed by the concurring observation of judges and barristers, who have been attentive to the subject, both in Europe and America. Exceptions will certainly occur, and especially in communities where education has consisted merely in the mechanical processes of learning to read and write and cypher, with no moral influence upon the heart, but such as perverts and hardens it. This but illustrates and evinces the importance of reforming education itself, lest it prove a culture productive of briers and thorns, instead of fruits and harvests.

The darkest crimes
spring from ignorance.

Yours most respectfully,

J. CALDWELL.

LETTER X.

Fellow Citizens,

The picture of families placed either by circumstances or choice beyond the reach of education, cannot but be

Value of even a
little education.

painful to every humane and considerate bosom. It seemed necessary to dwell upon it, that the importance of the subject may be adequately felt.

Among such as have enjoyed the privileges of a very limited education only, what multitudes of minds have risen up by the energies of native genius, broken away from the shackles of narrow circumstances, placed their names high on the rolls of eminence, blessed their country with the fruits of their enterprise and even enriched the world with their productions. Among the children of our own State, hundreds if not thousands may exist, in whose bosoms God has implanted susceptibilities of distinguished virtue, and high capacities of usefulness.

The marble buried in its native mines,
 Conceals the beauty of its clouds and lines;
 The sculptor's polish can each feature give,
 And even make the rugged marble live.
 Thus genius in the night of darkness born,
 May wind unnoticed her resounding horn.
 Like the stout traveller straying from his course,
 She errs the more from her exhaustless force.
 Young Edwin wandered in his native dell,
 And woke the music of his simple shell.
 With morning dawn he left his lowly shed,
 And led in wonder, sought the mountain head,
 His thoughtful mind unlettered would explore,
 And muse in sadness that he knew no more.
 At length a stranger to his longing eyes,
 Bade the bright visions of the world arise;
 To his attention all his lore expressed,
 And roused the genius kindled in his breast.

Talents hidden
 away from lack of
 opportunity.

Who can tell the talent that lies buried in all that multitude of minds, which for want of education must sink back into existence, unproductive and unknown? Who can conjecture how much there may be of glowing ardor which, promoted into action, might soar to loftiest flights,

or penetrate with keenest scrutiny into the secrets of nature; would decorate life with fairest ornaments, or save our country in the critical hour; might diffuse happiness through society by deeds of benevolence, unite their fellow men in its enterprise, or propagate truth and virtue around them like the waves that enlarge their circles on the lake? How many are there who may be formed with qualities to shine with the most beautiful tints, and the brightest lustre. How many, who with powers elicited, might adorn their country with fabrics of beauty, of comfort, of taste and health, and high enjoyment? Who of us can tell but that in the bosom of some obscure little cottager there lives a spark which once kindled into a flame, might enlighten and warm the universe? Of such as these generations have already existed upon our soil, and disappeared beneath its surface as though they had never been. They were presented to us by Providence with a munificent hand.

“But knowledge to their eyes, her ample page,
Rich with the spoils of time, did ne’er unroll;
Chill penury repressed their noble rage,
And froze the genial current of the soul.

Quotes Gray's
Elegy.

“Some village Hampden, that with dauntless breast
The little tyrant of his fields withstood;
Some mute inglorious Milton here may rest,
Some Cromwell, guiltless of his country's blood.

“The applause of list'ning senates to command,
The threats of pain and ruin to despise,
To scatter plenty o'er a smiling land,
And read their history in a nation's eyes.”

The literary production of other States, the inventions and enterprises of their people, show how large a proportion of genius is educed out of obscurity and inaction, and made efficacious, where the stimulating and expanding

Condition of other
countries.

influences of education are universally felt. Just as large a proportion would become conspicuous here, could each rising generation enjoy the same privileges.

We provide for the animal part of children; not the spiritual.

We occupy a soil ample in extent. Our toils are perpetuated to render it productive. Our families are spreading themselves more extensive over the surface. With strenuous effort and incessant cares we make provisions for their animal subsistence, but their minds are left to starve and dwindle. Their intellect languishes, and the value of their being is principally known through the appetites and passions. And is it possible for any man to believe that our happiness and the greatest excellence of our nature properly consist in mere animal pleasures? Are these the proper objects of creatures made superior to the brutes, and endowed with powers of indefinite improvement? Even a single individual left to himself naturally grows in thoughts and resources. By communication with a few his knowledge becomes increased. But how contracted must be that man's information, who has been limited to the suggestions of his own mind, whose range of view has been circumscribed to a few miles around a single spot, and whose intercourse with his fellow men has been but little more extensive.

This must be for the most part the condition of such as have never learned to read. It is when the thoughts, the discoveries, the resources, the different circumstances of men over the face of the earth, and their inventions in the arts, are treasured up in the most valuable publications, and their virtues and vices, their original disadvantages, and their methods of conquering difficulties, of extracting good out of evil, of converting the unformed and irregular materials of nature into powerful means of utility, wealth and enjoyment, that any single mind can know the little it can effect by its own individual powers, compared with the vastness of what it is to accomplish by the combined ingenuity and activity of our race through different na-

tions and successive periods of time. The information we gain by the ear and the eye only, is limited to what we think as individuals, and the few with whom we converse. The knowledge we acquire by the press is commensurate with the world.

Shall it not be our first and glorious purpose, upon which all our powers moral and physical, shall be directed to break down the walls that shut in our people from the light of day? Can a greater work be achieved than to disperse the darkness through which the hundred thousand infant minds in our State are groping their way into existence, and which without our steadfast resolve and united action, must continue to enshroud them through the whole of life? To their offspring too, without an effort, it must descend with the inheritance of their estates through succeeding generations. It is for you, in whom are the springs of power, to connect with your own names the merit and the lustre of this achievement. Time will soon snatch from you the opportunity of appropriating it to yourselves. Commence the work and a new era is marked in the history of our State and in the career of its prosperity and character through future time. In providing for the education of the people by some plan within our power with wisdom and perseverance, nothing can be questionable. The subject speaks for itself. To neglect it, especially at the present day, and in the present condition of our country, can scarcely fail to carry an emotion of revolt if not painful reprehension into the secret bosom of every considerate man. Let us advance to the subject with confidence that some plan is within our power, to which no longer time is necessary than for digesting its operations and arranging its order. Placing our eye upon the purpose, and believing that what has been done by so many others may be done by us, we shall discover the means we can enlist for its accomplishment. Men know not their own powers and energies till they put them forth

Let us use all
moral and physical
power to bring
light to the people.

into action. Parental affection, benevolence, patriotism, the interest of every individual, viewed with a reflective eye, all unite in urging upon us the imperious call which sounds in our ears from every hamlet, town, neighborhood, family, and from the remotest recesses of the State. Interwoven with the obligation to protect life, liberty, and property, is the right of successive generations to the instruction and discipline essential to their perpetuity and substantial enjoyment.

“This sacred right is fruitlessly announced,
 This universal plan in vain addressed,
 To eyes and ears of parents, who themselves
 Did in the time of their necessity
 Urge it in vain; and therefore like a prayer
 That from the humblest roof ascends to heaven,
 It mounts to reach the State’s parental ear;
 Who, if indeed she own a mother’s heart,
 And be not most unfeelingly devoid,
 Of gratitude to Providence, will grant
 The unquestionable boon.

“So shall licentiousness and black resolve
 Be rooted out, and virtuous habits take
 Their place and genuine piety descend,
 Like an inheritance from age to age.”

I am, fellow citizens,
 Your very obedient servant,

J. CALDWELL.

LETTER XI.

Fellow Citizens,

The University
 could not take the
 place of a central
 school for teachers.

In two or three well written pieces published some time since in one of the weekly prints, after proposing a law for borrowing funds necessary for the provision of schools for the State, the writer recommended to prepare teachers for such schools, by availing ourselves of our university,

for their education. It is possible that some may be of the opinion that by these means the establishment of a central school and the expense of its maintenance may be superseded.

Before closing these letters I would crave your indulgence while a few considerations are presented to evince the inexpediency of this mode of institution.

The system of education in colleges is modelled for forming their members to the liberal professions, or to literary or scientific occupations upon the largest scale. The education of grammar schools is framed with reference to these special ulterior attainments. To prepare and qualify a man for the arts and methods of primary schools is so entirely different in its nature, that no course of studies and employments can be fitted for both. This is so eminently true, especially in our own present state of society, that to educate a young man in a college, is to disqualify him almost with certainty for the permanent business of an elementary schoolmaster. The liberal professions, and the tuition of grammar schools, are open to all who have collegiate education, and talent largely cultivated is ever in demand, incessantly growing with the growth of our population. Society is made up of all professions, that by combination every individual may be readily supplied at will with all that is desirable for his convenience or his necessities, in the greatest perfection and upon the best terms. Hence the division of labor among carpenters, smiths, merchants, farmers, masons, lawyers, literati, miners, cabinet makers, ministers of the gospel, physicians and others. It is a received principle in common life, that the education of a youth for some of these professions, would not qualify but unfit him for others. If a youth be destined to the business of a shoemaker, it would be absurd to teach him the art of making wagon wheels. Nay even if we would have him to be a

College education
spoil a youth for
primary teaching.

carpenter, we should not place him as an apprentice to one who makes sideboards and bureaus. If he is to be a millwright we do not teach him to make watches. To educate a youth in a college is to spoil him for the occupation of a primary schoolmaster. After having prepared him in this manner, a far greater difficulty still remains, and it is of our own creation. It consists in restricting him for the business for which he is intended. He will soon be tired of being an abecedarian, if he can teach Virgil and Homer, or hope for distinction in one of the liberal professions. His tastes, his desires, his habits, the scope of his mind, his expense and modes of living, have been formed entirely at a variance with the ends proposed.

To be eminently successful in his business, he must be happy in it, and this is impossible if appetites and enjoyments be established in him, which circumstances different from those of his occupation, alone can gratify. No man is most efficient in that which he is able to do, whose secret bosom is discontented with his condition, hankering for what he deems the privileges of another for which he is no less qualified.

The plan of the
central school tries
to provide school-
masters for life;
this could not be
done in another
school.

It enters as an essential part into the system here proposed, that the men who are taught in the central school shall be professionally schoolmasters for life. If we educate them in academies and colleges, no restrictive obligations could permanently hold them to this vocation, except such of their number as were of the lowest rank in ability. We should put them into the college, candidates for the profession of schoolmasters, and through the influence of association, and doubtless of persuasion, if they really possessed the capacities for which they had been selected out of the community from which they came they would come out with their eye directed upon what a new taste would teach them to estimate as higher prospects. The views and habits of such men as we wish, should be of substantial utility and worth, and entirely fit them for their

proper business in its peculiar forms, and principles, and ends. In colleges, much if not a greater part is taught, which is wholly aside from these, incurring the consequence of much time lost, and expenditure of funds upon misdirected discipline, which to them and to us are of principal value. If to these considerations, enough surely to determine us upon this point, we add another which is inevitable, that the expenses of collegiate education must be far greater than in a central school, a resort to such a mode of preparing teachers for primary schools, cannot but appear ineligible, and wholly to be discarded.

To some of us it may still appear strange that a supply of schoolmasters in the numbers and with the discipline here implied, should be thought so necessary as to call for popular and legislative action. Let us reflect then that man is a being susceptible of a variety of character, which to us is infinite, nor is it possible to estimate the force of education in moulding him to these diversities. The nations of the earth are distinguished from one another by characteristics no less striking than the contrasts and singularities of individuals most dissimilar. Their disparities are seen in manners, customs, institutions, religion, government, laws, and modes of life and intercourse. For these differences they are indebted to the circumstances in which they originally commenced their history, and to the events and complicated influences, moral and physical, which have modified their career. These have constituted the basis of education to the individuals who compose them, and when their several characters have become established, it is by education that it is perpetuated or changed. By this every rising generation imbibes the sentiments, imitates the habits, and transmits the distinctions derived from its predecessors. Would you alter the character of a whole people? It cannot be done but by educating their springing progeny to the system you would prefer. Would you make them unchangeable?

The influence of
education on
society.

They must be trained from infancy to the opinions and habits of their forefathers with the overflowing current of time. Would you prepare a people never accustomed to popular government, for living under a republican constitution? Reconcile them to place their children universally under the tuition of freemen who, in the office of school masters, will wisely and faithfully conduct their education to such an issue, and if there be any method of accomplishing your wishes it is this. Do any of us admire, as we will regret, that the southern republics of our own continent cannot advance, with constancy, and prosperity, in the same career of rational liberty as ourselves? The solution is seen in the education which forms their children and youth not to the customs and opinions of civil freedom in the exercise of the elective franchise, but to such as are incompatible with it. The invincible laws of nature are now instructing them in the arts of freedom. If they listen not to her precepts, and submit not to her discipline, these laws know no change, and success is hopeless. How would you insure their speediest attainment of the inestimable boon? The scheme is visionary, but the end would be effected, could you furnish and secure a reception among them of a competent body of well qualified and faithful school masters, into whose hands the whole education of their children should be spontaneously and unreservedly committed.

Were it an object to bring European nations to live in tranquility under civil constitutions like our own, the same process, were it practicable, would assure the same result. Manners are formed, and predilections most steadfastly fixed, while the young are growing from infancy to manhood. The triteness of a proverb is its commendation, and it is one which has been universally sanctioned since its first happy expression by the poet:

“ ’Tis education forms the common mind,
Just as the twig is bent, the tree’s inclined.”

What means have the missionaries of the cross found most effectual, after all the trials which these devoted men have made for evangelizing heathen nations, and for the abolition of idolatry with its inveterate corruptions and cruelties? All other methods they have learned to relinquish in despair, and to depend exclusively on the agency of the schoolmaster to extirpate the bitter roots of paganism, and sow the seeds of christian civilization.

Missionaries depend on the work of the schoolmaster.

To this human nature is known to yield, though intrenched in prejudices once deemed invincible, and girded with prescription as with armour of proof. This has proved a line of length and power to reach even the Hotentot, and the New Zealander, in the dark caverns of their brutality, and restore them to the primitive distinctions and glories of humanity, from which they seemed to have once sunk to an irrevocable depth. Would we then secure the best enjoyment, and most assured permanency to our free institutions, and to the people in their richest fruits, it must be effected by the power of education in the hands of those who themselves have well learned, and will faithfully administer it, upon its proper principles.

I am, fellow citizens,

Your very obedient servant,

J. CALDWELL.

1833

1. CAUSES WHICH RETARD SCHOOLS.
2. THE CAUSE OF EMIGRATION.
3. VALUATION OF PROPERTY AND TAXES ASSESSED, 1833.
4. COST OF PUBLIC PRINTING 1814-1833.
5. STOCK IN BANKS OWNED BY LITERARY FUND.
6. USE OF LITERARY FUND.
7. VALUATION OF PROPERTY AND TAXATION, 1815 AND 1833.
8. SOCIAL AND ECONOMIC CONDITIONS.
9. REPORT OF LITERARY BOARD.
10. GOV. SWAIN'S MESSAGE ON EDUCATION.
11. WHY SCHOOLS WERE NOT ESTABLISHED.
12. ASSEMBLY COMMITTEES ON EDUCATION.
13. REPORT AND RESOLUTION OF COMMITTEE ON EDUCATION.
14. OBJECTION TO CHARTERING DENOMINATIONAL SCHOOLS.
15. "OLD FIELD" ON THE NECESSITY FOR SCHOOLS.

1. CAUSES WHICH RETARD SCHOOLS.

Mr. Hinton, from the Joint Select Committee on Internal Improvement, submitted the following Report:

The Joint Select Committee to whom was referred the Memorial of the Convention on Internal Improvement, have had the same under consideration, and respectfully submit the following Report:

They concur in the feelings and sentiments expressed by the memorialists, and believe that an economical system of Internal Improvements would promote the interest and elevate the character of North Carolina. With a fertile soil and a climate adapted to a great variety of valuable productions, with mineral resources entirely unequalled in any other portion of the continent, with an industrious and intelligent population, the State has lagged behind her sisters in everything calculated to increase the happiness of the people or to throw a lustre on our institutions. At present, there is not a single class of citizens, which can be considered in a prosperous condition. A few are wealthy, and many are in comfortable circumstances; but the thrift displayed by other States is not visible in our borders, improvement in agriculture and mechanic arts is not even attempted, and intellectual advancement is retarded by poverty and listlessness.

Advantages of
internal improve-
ments.

Thrift of other
States lacking;
intellectual prog-
ress retarded by
poverty.

No section of the State enjoys a cheap and easy access to a good market. If the labors of the planter are blessed with a rich return, his profits are consumed by the time and expense of getting his crop to the merchant. In summer our rivers are too shallow for the smallest craft, and when swelled with rains of winter, they are dangerous and uncertain in their navigation; so that the farmer is constrained to the expensive and wearisome transportation practised by our forefathers. The cost of this mode, in comparison with artificial means, (as canals and railroads,) the committee are unable to estimate; they can

No good markets
of easy access.

North Carolina
people can not
compete with
other markets.

only refer the General Assembly to the experience of other countries, and a few facts, far more instructive and eloquent than their own theories. The Eastern part of North Carolina is supplied with flour from the neighborhood of Lake Erie. When this country was a wilderness, that market was furnished by the farmers of James River and the more western counties, and the change must be attributed to the canal of New York. If similar works were constructed in this State, not only would the northern article be driven out of use, but our produce would compete with the New Yorker in the foreign market. The same market will apply to other agricultural productions. Our soil is as good as that of the north, our climate much better, and our people as intelligent as their northern brethren. It then appears that the sum paid by the inhabitant of North Carolina, for reaching a place of sale, is not expended by the citizen of other States. This must inevitably create a disproportion in the relative profits of industry, and cause a wide difference in the aspect of the opposite sections of country. But it has been said that the State is poor, and that her population is too scattered to sustain costly works. To this, it may be answered, that the western and Northern canals have frequently traversed regions less populous than ours, and less productive. They kept the youth of the country from emigration, and the facility of obtaining a ready market brought into existence thousands of fine farms and laid the foundation of many flourishing villages. But the committee need not dwell on the advantages of artificial means of internal communication. The splendid results which have followed the bold enterprise of the other States, are well known, and will have their due weight with the Legislature.

Example of other
States.

Home markets
should be encour-
aged by direct
trade to our own
harbors.

Another object of Internal Improvement should be steadily kept in view, to wit: the building up of cities and towns in our territory. The committee do not attack the freedom of trade. The people should be allowed to carry

their produce where the best price can be obtained, whither they are led by feeling and inclination. But there is a great difference between the privilege of unrestricted commerce, and the conferring of advantages on foreign markets. While the one should be cheerfully granted the other should be proudly banished from our Legislation. The anxiety of towns in neighboring States to get possession of our trade, proves its value and importance. The gain arising from the purchase of our products, and the furnishing our people with the necessaries and luxuries of life, must be large, and if possible should be kept in our own State and enjoyed by our own citizens. There are ports and harbours in North Carolina, equal, if not superior in many respects, to those of Virginia and South Carolina; and if a system of Internal Improvement be commenced, to these points our trade should be directed. Such a policy is called for by interest, and should be sanctioned by pride and feeling.

From the days of Romulus to those of Peter of Russia, cities have been considered indispensable to States and Empires. N. York is within sight of the shores of Connecticut; but it cannot be pretended that this metropolis is not infinitely more useful to the State, whose name she bears than to the one just mentioned. If cities should arise on our eastern coast, the taxable property there collected would materially assist our financial operations; otherwise, our friendly neighbors, already much richer and more powerful than ourselves, will enjoy the benefit of wealth produced by the exchange of our productions. Towns are not only the seats of monied capital and varied enterprise, but in them is found the focus of genius and intellect. Thither converge the rays of mental light; there they burn with the brightest flame, and produce the most powerful effects. Should this happen in North Carolina, a more glorious era will commence. While the wealth and enterprise of our merchants will excite indus-

Advantages of cities; centers of commerce and intellectual life.

Internal improvements will unite all the people of the State.

try, and bring to light the latent resources of the State, and promote noble improvements, a higher tone will be given to our public councils, men of learning will create a taste for scientific and literary pursuits, and our character will be regarded with pride and satisfaction.

This is further recommended, by the expediency of uniting the different parts of the State into a harmonious whole, possessing one interest actuated by one feeling, and ardently bent on one object—the honor and happiness of North Carolina. If the mountaineer could be brought in contact with the Lowlander, if dealings could take place between them, if the rights of hospitality could alternately be performed, geographical division would be forgotten, and civil animosity would subside.

No appropriation for any specific plan now.

Though the committee are thoroughly convinced of the utility of Internal Improvement, and though their anticipations of the future are of the brightest description, yet they fear that precipitate movements might be attended with disastrous consequences. The public mind is aroused, men of intelligence are investigating and explaining the subject, and the current is decidedly in favor of the patriotic cause. Caution, prudence, and enlightenment of the public mind, will render it irresistible; and, therefore, they deem it advisable not to make appropriations for any specific plan during the present session. Besides, the whole State should be surveyed by competent engineers, the routes designated by the memorial, as well as others, estimates of the cost of particular works should be made in order that the ensuing Legislature may have data on which it may act, and not commence projects, whose end and importance is not understood. The committee, therefore, recommend the passage of the accompanying bill.

—*Legislative Documents, 1833.*

2. THE CAUSE OF EMIGRATION.

To the Honourable General Assembly of North Carolina, The following memorial is respectfully submitted to your serious consideration, to wit: While the subscribers, citizens of the Borough of Halifax, feel a deep interest in the welfare of the people of North Carolina, and a deeper solicitude for the elevation of her national character, to the level of her sister states, they can perceive no means, by which an end so desirable, can be affected, but by an elevation of her general prosperity; whereby her native sons of genius, of which she can boast as many, as any State in the Union, may find sufficient inducement to remain on her salubrious and fertile soil, if properly improved, to erect monuments of genius, and of patriotism, to her honour and her glory; it being a fact incontrovertible, that many of the brightest stars in the galaxy of American genius, are native born North Carolinians, forced to seek a clime more congenial to their temperaments, mainly, because, sufficient importance in intellectual, and physical improvements, has not been felt by the State generally.

Necessity of some measure to prevent emigration.

That the general prosperity, and intellectual improvement of our people, cannot be elevated by any other means, than by an enlightened system of internal improvements and publick education, her geography, and the history of our sister States, amply prove.

Prosperity and intelligence can be aided only by system of internal improvements.

By a general improvement system, we wish to be understood as not confining ourselves exclusively to improvements facilitating trade and commerce, but also to agriculture; by draining and reclaiming the low and marshy lands, by which the agricultural productions of our State will be increased two, if not fourfold, and the health of our climate, rendered superior to any in the Union, which in a greater degree than any other considerations, will pre-

Such a system should promote trade and agriculture.

vent the annual drains of our population, in the form of emigrants to States, more favoured by nature.

Best to combine private and public funds.

The most eligible mode of effecting works of internal improvement which presents itself to our minds, is, by combining private with publick interest, and that no work shall receive aid from the publick treasury, until three-fifths or two-thirds of the estimated cost of such work, shall have been paid, or secured to be paid, by individual subscription. The wisdom of this course is to be seen, in the past history, of all of the works of internal improvement which have been commenced in this State, not one of the many commenced having been completed, within our knowledge, and the commencement of all having been so unwisely and improvidently located, with perhaps a solitary exception, that what little has been done is entirely useless, except to deter us from further efforts: and what can we promise ourselves, but similar failures, if works of improvement are undertaken by the funds of the State alone, in which all have an equal interest, and all are equally entitled to first improvements and when a combination of interests may be made to defeat all works of general utility, at least until those of a purely local interest shall have been built up, and such a profligacy in the expenditure of the publick money, thereby incurred, as will frustrate once more, and in all probability forever, the whole scheme of internal improvement, and thus we shall be compelled to remain, just as we have a long time remained, in a retrograding position. Wherefore be it resolved, that it is the opinion of the subscribers hereunto annexed, that the Legislature ought and is hereby requested, to raise an internal improvement fund, immediately by loan or other wise, to be appropriated to the aiding of such works of internal improvement, as may be proved of sufficient utility by the subscription of private capital, to an amount such as to induce the Legislature, or its authorized agent to subscribe the remaining two-nifths,

Position of State retrograding.

Plan proposed to raise funds.

or two-thirds of all internal improvement stocks, as in its wisdom it may consider most conducive to the general improvement of the State, both as to roads and canals, and to the reclaiming of our vast waste lands.

All of which we respectfully submit to your consideration, and pray your concurrence, holding ourselves under the direction and control of the Legislature and the laws of North Carolina alone.

Signed and subscribed to, this 14th day of December, A. D. 1833, and in the year of our Independence, 57.

Thos. Marshall, Sylvester Smith, Jos. L. Simmons, Richard Ferrall, Wm. H. Pope, Benj. A. Pope, Willoughby W. Jones, James M. Vaden, A. H. Litchford, Henry Garrett, F. S. Marshall, Aquilla Womble, B. F. Marshall, Jas. Simmons, J. J. Daniel, Henry Wilkes, G. W. Owens, Robert A. Burton of F. C., W. H. Daniel, R. J. Hawkins, T. M. Pierce, J. Jamieson, Thomas Ferrall, Allen S. Webb, E. H. Eure, Wm. H. Brown, M. A. Willcox, Jas. Frazier, J. H. McLemore, Charles A. Webb, Tho. K. Thomas, Benj. Harris, J. H. Harwell, M. L. Bishop, Henry A. Whitehead, G. W. Barnes.

—*From Unpublished Legislative Documents, 1833.*

3. VALUATION OF PROPERTY AND TAXES ASSESSED, 1833.

County.	Assessed Value of Land in 1815.	Assessed Value of Land in 1833.	Free Males 21 to 45 in 1830.	Slaves 12 to 50 in 1830.	Land Tax in 1833.	Poll Tax in 1833.
Anson	\$509,548	\$537,571	1,245	2,519	\$342.98	\$707.64
Ashe	211,321	270,139	867	253	161.98	210.60
Brunswick	516,189	289,277	559	1,715	303.10	427.52
Buncombe	669,069	652,610	1,904	904	446.29	527.91
Burke	840,481	800,023	1,843	1,956	557.44	714.22
Beaufort	810,819	605,040	1,154	2,283	483.81	646.16
Bladen	554,276	435,645	634	1,583	347.66	416.80
Bertie	1,350,096	995,809	788	3,510	770.79	808.03
Craven	1,787,931	691,646	1,138	3,298	1,116.06	833.97
Carteret	385,131	276,016	724	836	223.87	293.28
Currituck	343,473	232,185	765	1,243	203.84	377.51
Camden	412,618	272,539	712	1,093	238.18	339.34
Caswell	786,946	635,938	1,200	3,191	445.60	825.51
Chowan	645,360	497,921	446	1,994	363.99	458.72
Chatham	1,063,085	917,533	1,360	2,539	612.15	733.02
Cumberland	1,293,805	942,721	1,392	2,600	801.82	750.50
Columbus	167,964	175,231	390	493	111.78	166.01
Cabarrus	640,274	534,016	938	1,174	370.08	397.06
Duplin	729,097	550,812	953	2,216	421.97	595.78
Davidson		794,904	1,444	979	*	455.53
Edgecombe	1,926,572	1,524,986	1,104	3,711	1,092.57	905.22
Franklin	916,713	716,220	758	2,421	517.86	597.66
Guilford	1,186,254	1,099,833	2,314	1,373	674.10	693.16
Gates	544,444	472,163	636	1,789	307.12	455.90
Granville	1,161,446	901,545	1,389	4,488	657.39	1,104.88
Greene	549,244	382,964	414	1,450	310.63	350.44
Halifax	2,061,540	1,569,893	1,237	4,953	1,165.67	1,163.72
Hertford	830,081	606,206	717	1,843	472.60	481.28
Hyde	813,287	238,615	656	1,011	482.18	313.40
Haywood	201,916	203,225	546	149	121.88	130.66
Iredell	892,458	732,678	1,582	1,918	512.30	658.00
Jones	711,020	399,702	385	1,599	406.00	373.00
Johnston	846,865	632,947	1,011	1,841	489.02	536.18
Lincoln	1,285,198	1,349,608	2,428	2,613	756.93	947.71
Lenoir	724,996	333,491	526	1,961	415.11	467.56

* Included in Rowan.

VALUATION OF PROPERTY AND TAXES ASSESSED—Continued.

County.	Assessed Value of Land in 1815.	Assessed Value of Land in 1833.	Free Males 21 to 45 in 1830.	Slaves 12 to 50 in 1830.	Land Tax in 1833.	Poll Tax in 1833.
Moore-----	\$359,029	\$305,914	792	822	\$232.02	\$303.44
Macon-----		180,360	643	231	101.73	164.32
Montgomery-----	519,637	442,762	1,192	1,212	334.75	451.96
Mecklenburg-----	1,309,334	1,222,811	1,934	3,678	776.85	1,064.46
Martin-----	587,503	491,236	796	1,627	334.45	455.53
New Hanover-----	1,293,399	998,902	835	2,845	826.33	691.84
Nash-----	703,034	518,871	645	1,774	402.40	454.78
Northampton-----	1,528,862	1,335,054	831	3,647	864.30	841.87
Onslow-----	605,153	416,192	696	1,581	379.41	428.08
Orange-----	1,917,993	1,738,122	2,257	3,797	1,101.83	1,138.16
Person-----	511,745	477,787	770	2,196	293.27	557.61
Pasquotank-----	496,342	461,425	971	1,418	280.76	449.14
Pitt-----	1,399,719	961,499	1,014	2,707	810.05	699.55
Perquimans-----	563,021	445,351	706	1,371	324.53	390.48
Rowan-----	2,176,720	1,389,009	2,022	3,063	1,250.15	955.98
Randolph-----	891,207	712,392	1,483	727	537.00	415.48
Rockingham-----	729,472	654,992	1,177	2,134	419.75	622.47
Robeson-----	504,103	423,264	954	1,200	286.75	404.96
Richmond-----	463,992	474,871	820	1,827	283.56	497.64
Rutherford-----	942,914	836,377	1,841	1,735	577.44	672.29
Sampson-----	769,301	528,104	1,139	2,009	442.76	591.83
Surry-----	841,226	738,335	1,613	961	510.14	483.92
Stokes-----	899,669	903,039	1,779	1,441	538.12	605.36
Tyrrell-----	332,014	247,141	496	671	208.14	219.40
Washington-----	437,512	227,072	443	887	253.83	250.04
Wilkes-----	457,253	397,843	1,329	737	305.73	388.41
Wake-----	1,721,800	1,415,659	1,649	4,158	975.62	1,091.72
Warren-----	1,045,425	930,121	603	3,701	589.62	809.16
Wayne-----	1,144,620	770,431	927	1,818	655.74	516.06
Total-----	53,521,513	42,916,633	68,566	125,474	31,601.28	36,479.82

The assessed value of land in 1815 was that laid by the United States for direct tax. The assessed value in 1833 was that laid by State assessment. The free males, 21 to 45 (1830) and the slaves, 12 to 50 (1830) is from the Census of 1830. The land and poll tax for 1833 was that laid for State purposes only.

In 1830, the U. S. Census gave North Carolina a population of 68,566 free males 21 to 45 years of age, and a slave population of 125,474 between the ages of 12 to 50. According to law this number of persons were liable for poll taxes. In 1833, three years after the Census was taken, only 54,074 free polls were listed for taxation and 96,864 slave polls. There were thus 14,492 free polls and 28,610 slave polls unlisted for taxation in 1833, based on the Census figures of 1830—a total of 43,102 polls unlisted.

4. COST OF PUBLIC PRINTING 1814-1833.

1814—	\$1,309.39
1815—	1,348.00
1816—	1,180.20
1817—	1,168.50
1818—	1,541.92
1819—	1,446.00
1820—	1,706.18
1821—	1,404.99
1822—	1,819.50
1823—	1,437.35
1824—	1,550.22
1825—	1,444.32
1826—	1,434.74.
1827—	1,313.69
1828—	1,671.71
1829—	1,779.29
1830—	1,560.90
1831—	1,563.20
1832—	1,925.68
1833—	1,999.26

—*From Comptroller's Statement, Dec. 7, 1833.*

5. STOCK IN BANKS OWNED BY LITERARY FUND.

A statement showing the aggregate number of shares of Bank Stock owned by the State of North Carolina and by the President and Directors of the Literary Fund on the 1st of November, 1833.

Shares of Stock of the State Bank of North Carolina, owned by the State and dividends unappropriated	2,768
Ditto ditto by the President and Directors of the Literary Fund	282
	——— 3,054
Ditto Stock of the Bank of Newbern, owned by the State, and dividends unappropriated	155
Ditto ditto dividends appropriated to the Fund for Internal Improvement	1,304
Ditto ditto dividends appropriated to the Literary Fund	359
Ditto owned by the President and Directors of the Literary Fund, and purchased with the cash belonging to that Fund	141
	——— 1,950
Ditto Stock of the Bank of Cape Fear owned by the State, and dividends unappropriated	10
Ditto ditto dividends appropriated to the Fund for Internal Improvement	1,358
Ditto ditto dividends appropriated for the Literary Fund	704
Ditto owned by the President and Directors of the Literary Fund, and purchased with the cash belonging to that Fund	50
	——— 2,122
Aggregate number of shares	7,131
—From Statement of Treasurer in 1833.	

6. USE OF LITERARY FUND.

The following statement shows the debit of the public Fund to the Literary Fund, at the periods stated, viz:

On the first day of December, 1832, the balance

against the Public Fund was	\$14,125.05
1st January, 1833	24,547.69
1st February, 1833	66,016.75
1st March, 1833	12,982.49
1st April, 1833	12,742.73

On the first day of May, the Literary Fund had been reimbursed and a balance of \$24,230.21 stood to the credit of the Public Fund. Since that time, there has been no occasion to use the money of the former, to answer demands on the latter.

—*From Report of Public Treasurer, 1833.*

7. VALUATION OF PROPERTY AND TAXATION, 1815 AND 1833.

Loss of revenue by
fraudulent prac-
tices.

The great loss of revenue, and the fraudulent practices growing out of the present mode of listing and assessing property for taxation in this State, were brought to the attention of the Legislature in the last annual report from this department. Since that time some pains have been taken to ascertain the amount of the evil, where it exists and the remedy. Under the existing law passed in 1819, "every person bound to list lands shall return his list upon oath, as it respects the number of acres and shall affix the value of each tract of land, including the improvements thereon, not less than the value affixed to the same by the assessors under the last act of Congress, providing for the assessment of the lands of the United States—(January, 1815). In any event, then, the valuation on the tax list, should be equal to that of 1815, and higher where an appreciation in the value has occurred since that time, either from improvements on the land or otherwise. The aggregate valuation of the lands in North Carolina at the period referred to, was, in round numbers, fifty three and a half million dollars. Since that time and up to the first of the year 1833—1,249,758 acres of land have been entered and patented in the State, making an increase, by that number of acres, of the amount now liable to pay tax.—These lands estimated at the average in 1815, and added to that valuation, make an aggregate of more than fifty six millions of dollars. Hence it is manifest that the assessment of 1833, upon which the tax received this year was collected, ought at least to be equal to that sum, yielding a nett tax of more than thirty-one thousand dollars; and if the assessment were made strictly according to the requirements of the act of 1819, it must necessarily be greater, unless reduced by the Board of Appeal constituted by that act.

Comparison of
present land values
with 1815.

But let us compare this result with the actual assessment in 1833. According to the clerk's returns, and the tax collected thereon, the aggregate valuation of the lands in North Carolina is less than forty three millions—showing a deficit in the valuation, at the lowest estimate, of more than *thirteen millions*; the nett tax accruing upon which would be near eight thousand dollars, or about one-third of the whole tax at present collected on real estate. It is a fact worth noting in this place, that the land tax has been gradually and invariably diminishing for every successive year since the year 1820, when the present rate of taxation was adopted. From the data collected on this subject, a table has been compiled, which it is believed, embraces all the information worth the attention of the Legislature. It shows the valuation in each county in 1815 and 1833, in the aggregate, and the average per acre—the number of acres at each period—the number entered since—the aggregate valuation of the whole and the nett amount of tax that would arise therefrom. Notwithstanding the immensely depreciated rate at which it is given in, in some of the counties it will be seen that the average rate of giving in throughout the State in 1833, does not fall very short of the average valuation per acre in 1815—the average rate at the former period (1815) being \$2.69; at the latter \$2.27. This arises from the fact that much of the land is not listed at all and, in several of the counties, that which is listed is rated at a higher valuation per acre than was fixed upon it in 1815. It will also be perceived that although about a million and a quarter acres of land have been entered since 1815, still the quantity now given in for taxation is less than at a former period by more than a million of acres; and estimating the whole surface of the State at 32,000,000 acres, only about three-fifths of it are taxed.

How much too low
is the valuation
of lands?

Much land not
listed at all.

So far, the evil complained of relates only to the public revenue or State tax. Let us examine its bearing upon

County taxes decreased by low assessment; amount of loss.

the other revenues in the State. It must be recollected that the County taxes are all levied upon the same list and assessment as is the State tax; and that of course the evil extends alike to them. From authentic statements procured from fifty five counties, it is ascertained that the average land tax paid throughout the State for county purposes, amounts to twenty six cents on the hundred dollars value, and that the average poll tax paid in like manner, for the same purposes, amounts to sixty cents on the poll. These rates of taxation applied respectively, to the amount of the deficit in the assessment of real estate, and the number of polls listed in 1833, will exhibit a loss of revenue in the former, of more than thirty-four thousand dollars—making together about sixty thousand dollars; which, with the loss to the public revenue, swells the amount to upwards of seventy five thousand dollars—a sum of money more than equal to the whole of the public revenue, at present collected by the sheriffs and paid into this office. This is a startling result; but that it is not exaggerated, the facts upon which it depends, will show. Indeed, it is confidently believed, that its correctness would be proved in the fullest manner, could a fair and equitable system of listing and assessing property be adopted and carried out efficaciously.

—*From Report of Public Treasurer. 1834.*

8. SOCIAL AND ECONOMIC CONDITIONS.

The committee on Internal Improvements, to whom were referred sundry documents and schemes relating to the Internal Improvements of this State, having had the same under consideration, beg leave to report :

That the subject matter to which they relate involves considerations of State policy, inseparable from the general good, and, when taken in connection with the individual welfare of our citizens, their situation presents a state of things which nothing short of a liberal course of legislation can arrest, the consequent evils of a course of policy which the experience of the past now demonstrates, have had, and if persevered in, will have a tendency to annihilate the population of the State.

Present policy will annihilate our population.

When we look abroad into the policy of the several States of this Union, it is apparent that such as have attained to any degree of pre-eminence of character, that such distinction has been acquired in ratio with the facilities of accumulating wealth, by the industry and enterprise of their citizens; and it is equally apparent that the State that has adopted that system of policy, which in its tendency hath promoted agriculture and husbandry, has produced in the moral and intellectual condition of its society, improvements characteristic of an enlightened and enterprising people.

Example of other States.

The evidences which the pages of history furnish for our example, of the causes that have produced the decline and ultimate ruin of such governments as have persued a contrary policy, should be regarded by the States of this Confederacy as admonitory of the certainty of its fatal consequences.

What the State may expect from an apathetic course in regard to internal improvements.

A people falling into that state of apathy, which generates a spirit unfriendly to enterprise, have ever been found to degenerate in the most abject state of slavery.

It matters not whether such a people be a self governed community or not, the inculcation of such principles will sooner or later produce a disregard even for the government of their own choosing.

Why some countries are ignorant.

When a people shall lose a proper respect for the character of the State which gave them birth, they that moment cease to be patriots, and become the fit subjects for a system of feudal vassalage. Let it be asked why are some nations overrun with ignorance and barbarity, whilst others flourish with learning and sciences? But what should most attract our attention is, that the same people have in different ages been distinguished by these opposite characters. Is it not because the one has neglected, whilst the other has paid a proper regard to a policy, which placed in the hands of the citizens the means of acquiring wealth and the comforts of life, whereby culture and a due regard for the improvements of the mind upon human institutions are appreciated and cherished by the great body of the people? Nothing is more apparent, then, where this system is pursued, knowledge, virtue, patriotism and wealth never fail to ensue; but where it is not, ignorance and a want of knowledge of our own worth become inevitable.

Comparison of North Carolina with other States.

Upon comparing the present languishing condition of the agricultural resources of North Carolina with the improved and prosperous condition of even the most considerable member of the Union, the picture portrays the contrast, characteristic of a community worn down by the hand of adversity, in colours too strong to be concealed. That in North Carolina, it is apparent the reward of labor has ceased to be a stimulus to industry and enterprise; that agriculture has ceased to yield to the land owner a compensation equivalent to the expense attending the transportation of his surplus produce to market. The consequent result of this state of things is, that real estate throughout the country has so depreciated in the

hands of farmers, as to be considered not to possess a fixed value estimated upon its products. Hence our citizens are daily abandoning the places of their birth for situations in other States less healthy, and often not superior in fertility of soil; but which, by the improvement of those States, rendered so by the fostering aid of Legislative patronage, the facilities to wealth and the means of acquiring the necessities of life, the profits of labor hold out stronger inducements to agricultural pursuits than is to be found in North Carolina. Nor does the evil stop here. The tide of emigration, which never ebbs, not only carries with it a great portion of the enterprise and prime of our youth, but much of the productive and most valuable description of the State's wealth. These are facts of "ominous import," which should admonish us to guard against the fatal issue with which they are pregnant. Can it be our interest so to shape our policy as to render our State the mere nursery for the Western and Southwestern States? Surely not. We not only thereby lessen the political influence of the State in the councils of the General Government, but we evidently weaken the ties of patriotism of our citizens to the land of their nativity.

Why people are
emigrating.

The social relations of family connections evidently constitute the most lasting cement of the political permanency of any country. Indeed, what else is it but the social ties of family connections, when rendered happy and prosperous by their own industry, that stamps a value upon society? Or will it be contended that the present scattered condition of the family connections of North Carolina has a tendency to increase either the happiness or the devotion of its inhabitants to the interest of the State? Go into any neighborhood, and inquire of the seniors or heads of families, "how many children they have raised, and in what State do they reside?" and in nine cases out of ten, the answer will be, "I have raised some six or eight children; but the major portion of them

Nine-tenths of all
the land now for
sale.

have migrated to some other State;" and adds the parent, "I am anxious to sell my lands, to enable me to follow them." Thus, it will appear that the lands of nine-tenths of the farmers of the State are actually in market; and what does it arise from? Evidently from the fact, that the distance to, and expense of sending the staple products of the soil to market, so far lessen the profits upon agricultural labor, that the farmer has no inducements to effort. Therefore, it is that all our farmers are land sellers, and no land buyers.

The remedy for
these conditions.

The cause of these evils is apparent; but no less so, than is the remedy. Throw open the agricultural interest of our State to the action of trade or commerce; open its wide spread avenues, by constructing railroads from the interior of our fertile back country to markets within the State, at least, so far as nature in the distribution of her favors has rendered them feasible; connect by railroads the rivers of the State at given points, whereby the produce of their fruitful valleys may be sent to an export market. This done, and it will reflect to the State all the substantial benefits to be derived from an export depot—such at least as will locate a capital within its influence, equal to the amount of exports.

By concentrating the commerce of the State to one point, it will remove an evil, which but few are apprised of. The produce should be received at the export depot in sufficient quantities so as to furnish a cargo, without subjecting the shipper to the increased expense arising from delay, a privation in the outset which often renders the voyage unsuccessful. Hence the necessity of adding to the aggregate quantity of export articles at the shipping port.

Present conditions
the fault of the
Legislature.

From the laggard progress in our internal improvements, it would seem as if inquiry had yet to discover what constituted the true policy of the State, as if its principles were too mysterious for the perception of the

common mind. But such is not the fact. The fault lies in the Legislature, and, it would appear, from the past, that the people are much more ready, when called upon to sanction any measure of legislative enactment, having for its object the advancement of the public good, than hath been found in the General Assembly to adopt such measures. The people are always prepared to decide upon measures connected with the public welfare; but what uncommon attribute of intellect does it require to decide upon the advantages which the rail road has over a common five horse dredge wagon? The one is capable, with a steam locomotive engine, of transporting from 40 to 50 tons, and the other, under the most favorable circumstances, will carry little exceeding a ton and a half. Yet the opponents to a liberal system of internal improvement say that the present is not the proper time to commence these improvements, that the people are yet uninformed upon the subject, of the use of rail roads. Now, these reasons, if reasons at all, imply a fact which your committee is unwilling to admit, viz: that the people are not sufficiently informed of the advantages which rail roads possess over dredge wagons to decide upon the expediency of adopting rail road communications. The proposition thus presented, is made to appear before the people in a false shape. Let it be asked, what are the true points involved in the inquiry? Is it not apparent that when the case is stripped of the veil of mystery which envelops the proposition, that it presents but two simple questions, namely: *first*, the advantages of rail roads; and, *secondly*, the ways and means of acquiring the required funds to effect these improvements? The expediency then of the State becoming interested in rail roads is not involved in what the enemies of a general system, adopted by the State, may be pleased to call *an improper time to commence the good work*. In this light the subject has ever been unkindly treated; which has had a tendency

Advantages of
railroads.

Prejudice against
railroads.

to prejudice the public mind against the introduction of one of the most important improvements of inter-communication which the present enlightened age has discovered for the use and general benefit of man.

In the contemplation of this highly interesting subject, the only inquiry is, as to the manner of acquiring the funds for the accomplishment of the work, and whether the end will justify the means. The proposition, thus considered, presents a full and entire view of the whole case. The utility and practical use of rail roads will be admitted by all. Their direct effect upon the landed interest of the country is also admitted. The action they necessarily produce to enterprise and the mechanic arts and the commerce of the country, all tend to stimulate industry in a degree only to be realised by such like improvements. These considerations constitute some of the advantages to be derived from commercial intercommunications of the country. They show that it is labour which develops the resources of any country. Should it not then be an object with the Legislature to promote, by such means as shall be found within its control, the industry and enterprise of the State with a liberal hand?

State should aid
the promotion of
wealth.

In what age or era has it been shown that prosperity has attended any nation, whose government did not foster its national wealth by promoting the individual wealth of its citizens?

Why money is
scarce.

It is a mistaken idea, as many suppose, that banks or the monied institutions of the country will of themselves render what is called "money plenty." Money must circulate by means of the products of labor or else it will ever be scarce, and the community poor. The fact is money, whether in a metallic or paper form, possesses little else than a distributive, and not that representative character of property, as is generally supposed. It is its convenience in facilitating traffic between man and man, that confers a value upon paper medium, and not its representative character.

Money borrowed, which is wasted, or not usefully invested, operates injuriously to the borrower, and at the same time affords no benefit to the community. It is so much thrown into circulation unrepresented by either labor or property: which results in the same bad effect that arises from overtrading.

The policy of North Carolina should be to increase the products of her soil, by increasing the reward and wages of labor. The one is a consequent upon the other. In the same ratio that labor is rewarded, will prosperity attend the community, & vice versa. It should, therefore, become a matter of inquiry with the Legislature of the State, whether our course of Legislation hath been in accordance with these established principles.

Our course of reasoning upon this subject for the last 30 years has been to evade rather than to investigate its merits; whilst the doctrines promulgated against a general system of improvement have unhappily had a serious and deleterious effect upon the public mind.

Legislature has delayed action for thirty years.

Principles inimical to, and at variance with what should constitute the policy of the State by becoming interested in any project of internal improvements, having been so repeatedly reiterated, and again echoed and re-echoed from the forum of the Legislative hall to the public ear, that popular opinion had gone far in rejecting the well established principles in political economy, that the "wealth of States consists in the wealth and prosperity of the citizens.

But your committee hath the gratification to perceive that this important subject has in a great degree undergone the inquisitorial examination of the people, whose decision in all matters of public interest has ever been found in unison with the general welfare.

People at last see the folly of the past course of legislation.

The people now perceive that they have endured a state of privation, which sad experience shows to be a downward course, and when longer forbearance would be but

an aggravation of the evil. But the people, knowing their interest, with a voice not to be resisted hath proclaimed aloud that the period has arrived when *something ought, something can, and when something must be done* to arrest the progress of our down hill march.

Individuals can not raise the necessary funds.

Public expectations have become awakened, all eyes have been turned upon the present session of the General Assembly, and now look with patriotic solicitude for the anticipated favorable result of its deliberations. With regard to the ability of individual efforts to accomplish the desired results of public improvements, there can be no difficulty in perceiving that they cannot raise the required funds. Our citizens subjected as they evidently are, and have ever been, to an expense almost equal to the market value of a great portion of their surplus produce in getting it to market, must be ill prepared to engage in enterprises, which from their importance should be justly considered undertakings of State magnitude. It is therefore, apparent, that if the improvements of the State are to be effected at all, they must be by the aid of the State, and not by private companies. The expression of public opinion by the people, in their recent numerous primary meetings, has given ample testimony of what the public expectations are with regard to the two-fifths principle. The unanimity of the Internal Improvement convention, held in November last in Raleigh, in which 44 counties were represented, and of which were but five dissenting votes to the magnificent scheme recommended by that body to the consideration of the General Assembly, should be viewed as conclusive as to the sentiments of the people upon the subject.

Individuals must have State aid.

Recent Convention and its recommendations ought to be adopted.

To defer the commencement of these undertakings under the imposing circumstances they have been submitted to the General Assembly, would doubtless be viewed by the people as tantamount to a rejection of the principles recommended, and so ably sustained by that patriotic and enlightened assemblage of citizens.

It will be recollected that the delegates composing the general Convention, which sat in Raleigh in November last, were appointed by the citizens of their respective counties, under all the forms at least of an election. It can hardly be supposed then, that they would have recommended a measure which they supposed would not be sanctioned by their constituents. But, in addition, to all this, we have the fact that all the internal improvement conventions and county meetings that were held in various sections of the State during the last summer, recommended the two-fifths and three-fifths principle. The sentiment of the people upon the point therefore, cannot be questioned.

Sentiments of the people have been ascertained.

In compliance, therefore, to the will of the people, your Committee are of the opinion that the two-fifths principle should be recognized in the future policy of the State; and that where a scheme shall be projected by individuals embraced in either of the main routes, recommended by the Board of Internal Improvements, the State ought to subscribe for two-fifths of the stock, under such restrictions and under such conditions as the Legislature shall prescribe by law.

State should subscribe two-fifths of the stock.

The great number of applications to the present General Assembly for the incorporation of rail road companies may be considered to be a fair test of the entire public confidence in rail road communications; and whilst the strong feelings of sectional jealousy, which are manifested upon the subject, should be regretted, yet the consequences to be apprehended can but result in laudable rivalry.

Applications for incorporation of railroad companies show interest.

The reasons that have been advanced against the credit of the State being used in raising or creating a fund for objects of internal improvement appear to your committee to be without foundation. The objects of legislation should be such as relate to the advancement of common welfare: the improvements of our common country is a legitimate subject of general concern, and is embraced in the powers retained by the State Government in the management of

No foundation in reason why the State should not lend its influence.

its municipal affairs; in the well being of which, all grades and discription of citizens have a deep and undivided interest; and, as such, the subject should invoke the undivided attention and solicitude of the General Assembly. In every other State except North Carolina, internal improvement is made a primary object of State patronage; but why it should be considered by the Legislature of North Carolina an object unworthy of its patronage and fostering care, is a fact which inquiry is yet to discover and explain. It is no reason against a thing, to presume it may be abused; for, upon this hypothesis, it might be argued that legislation itself may be abused, and therefore, such a provision is improperly retained in our constitution.

What other States
are going to do.

It is worse than absurd to argue that the work proposed may not be worth the money expended in constructing it, and therefore, it would be impolitic for the State to engage in such like enterprises. What has been the result of such investments in our Sister States? Do we find that they have abandoned the policy? Surely not, but, on the contrary, continue to engage in more extensive undertaking. South Carolina and Tennessee have now in contemplation a scheme to connect by rail roads, the trade of the two States, so as to make Charleston the shipping port for all Tennessee. Nay, the scheme embraces all north Alabama, a part of Kentucky and Ohio. So have Virginia and Georgia embarked in the internal improvements of their respective States, and with prospects of success.

Report of Board of
Internal Improve-
ments.

In reference to the Report of the "Board of Internal Improvements," the committee view the plans and suggestions it contains to be of pre-eminent importance to the State. It contemplates improvements which, if carried into execution, their advantages would more than equal the scheme, magnificent as it is. The committee, therefore, would recommend the organization of a Board of

Internal Improvements, to consist of four members, one of whom, should act in the capacity of superintendent of public works, and who shall be allowed three dollars a day, in addition to his expenses, for his services in attending to the duties assigned to him as superintendent.

It will be recollected that the laws relating to the several navigation and other incorporated companies, were enacted at the time when there existed a regular Board of Internal Improvements: consequently these laws were all predicated upon the existence of a board, and requiring the Board of Internal Improvement to attend to the interest which the State held in these companies.

In addition to these reasons, there are others which ^{New Board necessary.} render the organization of a new board necessary. It is essential that the State should be furnished with a topographical engineer, for the purpose of making the surveys and estimates of the routes contemplated by the several companies incorporated at the present session, as well as the routes proposed by the Board of Internal Improvement. An engineer can no doubt be procured from the topographical bureau of the United States Government by applying to the President. In which event these surveys and estimates can be made at an expense only of the cost of the camp equipage, and such other charges as may be necessary for the accommodation of the engineer and the required attendants, etc. The whole amount would not probably exceed from 1000 to 1500 dollars. The State of South Carolina has appropriated for a similar object, and under similar circumstances, one thousand dollars.

Your committee, therefore recommend the bill accompanying this Report, to be passed into a law. All which is respectfully submitted.

J. SEAWELL, Chairman.

—*From Legislative Documents, 1833.*

9. REPORT OF LITERARY BOARD.

To the General Assembly of the State of North Carolina.

The President and Directors of the Literary Fund, in obedience to the Act of Assembly requiring them to "cause to be kept by the Treasurer for the State, a regular account of all such sums of money as may belong to the said fund; of the manner in which the same has been applied and vested; and to make an annual report thereof to the Legislature, with such recommendations for the improvement of the same as to them shall seem expedient" respectfully Report:

Receipts for the year.

That the receipts of this corporation for the year ending on the first day of November 1833, have been as follows (viz)

Amount of tavern tax for 1833.....	\$2,737.28
do. auction do. do.....	675.64
do. cash received do. on entries	
of Vacant land	6,279.43
Ditto dividend received State Bank and	
Bank of Newbern	18,180.00
Ditto Ditto Cape Fear Navigation	
compy.	566.14
	\$28,438.49

Add to this sum the amount reported by the Public Treasurer to the last General Assembly to have been due to the Literary Fund, on the 1st day of November 1832	88,586.32½
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Making an aggregate of	\$117,024.81½
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Fund now idle.

During the present year no expenditures have been made from this fund for any purpose; and for obvious reasons, the Board has declined to exercise the authority given by the third section of the act creating this corpo-

ration, "to vest any part or the whole of the fund in the stock of any of the Banks of this State, or in the stock of the Bank of the United States." The entire fund has therefore been idle and unproductive during this period.

The President and Directors have had some difficulty Ask the meaning of the act of 1825. in determining the construction, which ought to be given to the act of incorporation; and as the question involved is one of much importance, they beg leave to refer it to the consideration of the Legislature. The Second Section provides that the Literary fund shall consist "of the dividends arising from certain bank stock owned by the State, the dividends arising from stock owned by the State, in certain navigation companies; the tax imposed by law on licenses to the retailers of spiritous liquors & auctioneers; the unexpended balance of the agricultural fund, which by the Act of the Legislature is directed to be paid into the Public Treasury; all monies paid to the State for entries of vacant land excepting the Cherokee lands, the sum of \$21,090, which was paid by the State to certain Cherokee Indians for reservations to land secured to them by treaty, when the said sum shall be received from the United States by this State; and of all the vacant and unappropriated Swamp land in the State, together with such sums of money as the Legislature may hereafter find it convenient to appropriate from time to time." The third section declares that the President and Directors shall have authority "at all times to change, alter and dispose of the real and personal estate, belonging to the said fund, in such manner and upon such terms as may in their opinion be best calculated to improve the value thereof."

An Act passed at the same Session, prohibits the entry Question as to the swamp lands. of Swamp lands. Has the Act of Assembly in question transferred the Swamp lands to this corporation with authority to dispose of them? or merely a right "to all

monies paid to the State" on account of them, as in the case of other vacant and unappropriated lands?

The Board entertain the opinion that the former is the true construction. The grant is express "of all the vacant and unappropriated Swamp lands," and not to "all *monies* paid to the State," as in the former instance. If a right to the latter merely is intended, there was no necessity for any reference to the Swamp lands, all the unappropriated lands except the Cherokee lands being included by the other form of expression. The corporation neither owns nor has authority to acquire any "real estate" other than these lands, so that the "power to alter, change and dispose of the real and personal Estate," given by the third section, is by any other construction entirely nugatory, so far as it relates to the former species of property.

Swamp lands only
hope of establish-
ing schools.

The act above referred to, passed at the same Session of the Legislature to prohibit the entry of these lands accords well with this construction. The Legislature seems at that period for the first time, to have been duly sensible of the great importance of this portion of the public domain, and it must have been upon this "real estate" alone, that any reliance could have been placed, or even hope entertained for the accumulation, within any reasonable period, of a sufficient, "fund for the support of common and convenient schools for the instruction of youth in the several Counties of this State."

Schools can not be
established with a
fund of \$100,000.

Having arrived at this conclusion, it becomes the duty of the Board in connexion with the subject, "to make such recommendations to the Legislature for the improvement of the fund as seem to them expedient." It is apparent that no general good could be effected by an attempt to establish common and convenient schools in every County in the State, with a fund amounting to little more than a hundred thousand dollars. There is at present no opportunity afforded for an investment in the stock of any Bank in this State or of the United States. though it is probable

this state of things will not long continue. In the meantime, they entertain the opinion that their attention may with great propriety be directed to the improvement of that part of the fund which consists of real estate, and that a portion of the money in the Treasury may well be set apart for this purpose, leaving the remainder to be invested in such stocks, as the Legislature may direct.

The Governor in his recent Message to the General Assembly has stated the extent, and made some general remarks with respect to the value of the Swamp and Marsh land in the State. A minute and interesting description of the entire region, over which they extend, was given to the Board for Internal Improvements in 1827, by Mr. Nash, then Civil Engineer for the State. He concludes his report on this subject by observing that "North Carolina possesses a mine of wealth in her Swamp lands, which if rightfully managed may be made a Source of great and lasting revenue. Instead of being the abode of reptiles and howling beasts, the receptacles of stagnant waters, which spread disease and death through the country for one third of the year, these now loathsome marshes and dismals may all be converted into fruitful fields and made the delightful habitation of man."

Value of the
swamp lands.

The Board have taken much pains to ascertain the correctness of the description given by this gentleman of the several tracts of country surveyed by him, and to test the general accuracy of his estimates. Various publications on the subject have been consulted, the maps belonging to the Executive Department attentively examined, and much information has been obtained by an extensive correspondence with gentlemen residing in the eastern section of the State. These enquiries have produced the conviction that the subject is one of great importance, and well worthy the interest it has excited in the public mind. The general fertility of the soil is universally admitted, the extent of the surface has been ascertained

by actual Survey, and the effect of the anticipated improvement upon the health of the adjacent country cannot be otherwise than salutary.

Work of reclaim-
ing lands; method
proposed.

#

The important enquiry however remains to be answered, In what way and by what means can this work be most advantageously performed? This has been the subject of much reflection with the Board, and they have been unable to devise any general system of improvement with which they are entirely satisfied. They believe, however, that an experiment may be made without either hazard or expense to the fund, which they have in charge, which will afford the most satisfactory information by which to determine the propriety of entering upon a general system of improvement. They propose to select a single tract of sufficient extent, and offer the requisite inducement to reclaim it, to individual effort and enterprise. With this view, they recommend as the first object of attention, the work which has been the subject of such frequent discussion in the Legislature, the improvement of the Swamp land in Hyde County, by draining Matamuskeet Lake. The lake is represented by Mr. Nash to be 20 miles in length from East to West, and 8 or 9 miles wide from North to South, and to cover an area of 120,000 acres. It is elevated from 7 to 10 feet above the level of Pamlico Sound from which it is distant four miles and has at its greatest depth 9 feet of water. He estimates that a canal forty feet in width, and eight feet in depth, may be excavated along the line of a canal already existing of the width of twelve and depth of four feet, by the expenditure of \$8000, and that it would have the effect to lay bare and sufficiently dry for the purpose of cultivation 60,000 acres of land, of great fertility. In addition to this, the lands of the riparian proprietors would be secured from inundation, and thus greatly enhanced in value, and the healthfulness of a neighborhood increased, which is believed to be more densely populated than any settlement

of equal extent in this or perhaps in the Southern States.

There is another object which may be obtained by draining this lake or reducing its waters, which recommend it still more forcibly to public patronage. The distance from the lake to Alligator river is but four miles. If a Canal be cut from the North side of the former, to the Pamlico Sound and from its Southern margin to Alligator river, which it is believed may be effected without much difficulty, a direct communication will be opened between Albemarle and Pamlico Sounds. The Dismal Swamp Canal is already in successful operation, and the improvement now proposed will afford a channel of communication between Norfolk and Newbern, of great importance; not only to the immediate Section of country through which it will pass but to a large portion of the Atlantic Coast. Within the last two months, a company of enterprising gentlemen have established a line of steamboats between Elizabeth City (near the point of connexion between Pasquotank river and the Dismal Swamp Canal) and Newbern. It is in contemplation to extend this line from Newbern, through the Clubfoot and Harlows-Creek Canal to Beaufort and thence along the coast by Wilmington to Charleston, S. C. Through the Canal connecting Mattamuskeet Lake with Pamlico and Albemarle Sounds, a hundred miles would be saved in distance between Elizabeth City and Newbern, and the dangerous navigation of the lower part of Albemarle Sound avoided. This improvement would constitute a link of the great chain of internal communication, which has for so many years attracted the attention of some of our most distinguished statesmen. The facilities of intercommunication which it would afford in time of peace would greatly promote the convenience, and advance the prosperity of that section of the State; but if at any time the fleet of an enemy should cut off all intercourse with our seaports a safe and direct

Inland waterway
New Bern to Norfolk.

inland navigation of the character proposed as a means of defence, would be of incalculable value, not only to North Carolina, but to the Union.

Legislature ought to provide for draining Mattamuskeet Lake.

It seems to be matter of surprise that the Legislature had not been induced, long since, by the obvious advantages which must result from the successful prosecution of such an enterprise, to offer the entire body of land which might be reclaimed, to the first individual who would drain the Lake. The Board entertain the opinion however, that if the General Assembly concur with them in the construction they have given to the Act creating this fund, and Sanction the course which they propose to adopt, liberal and enterprising individuals will be willing to incur the hazard of such an undertaking, upon terms much more favourable to the State if successfully prosecuted, and attended by no public loss should it fail.

Recommendations.

They therefore respectfully recommend to your honorable body to authorize the President and Directors of the Literary Fund to loan upon good security, to any number of individuals, not exceeding thirty, who will associate themselves, and shall be incorporated for the purpose of engaging in the work, a sum of money, not exceeding 30,000 dollars, to be applied by the said individuals to the accomplishment of the projected enterprise. The money to be repaid at the expiration of five years from the period at which the loan shall have been obtained, without interest. The lands when reclaimed, to be sold, and the proceeds, after the repayment of the \$30,000 dollars loaned, to be equally divided between the corporation and the individuals concerned. The Canals to be joint property, and reasonable rates of toll to be allowed for the transportation of produce upon them. By this plan the Literary Fund, for the use of the capital employed, and the land surface of the lake, which in its present condition is destitute of value, would receive one half of the amount of tolls levied on the canals, and the individuals

under whose direction the work shall be performed, the remaining half as a compensation for their attention and the hazard incurred.*

—*From MS. Records Literary Board.*

* The following letter accompanied this report to the Assembly :
To the General Assembly of North Carolina:

GENTLEMEN—I transmit herewith the annual report required by law to be submitted to the Legislature, of the proceedings of the President and Directors of the Literary Fund.

I have the honor to be, gentlemen,

With high considerations,

Your obedient servant,

DAVID L. SWAIN.

Executive Department, N. C.,

November 22d, 1833.

10. GOV. SWAIN'S MESSAGE ON EDUCATION.

Literary fund too small to establish schools.

The report of the President and Directors of the Literary Fund which will be submitted to your consideration at an early day, will shew the result so far as it has been tried of the only attempt we have yet made to establish schools for the convenient instruction of youth, with such salaries to the masters, paid by the public, as may enable them to instruct at low prices. The aggregate amount of the fund is, at present, too small, to justify our entering upon any general system of education. Indeed, were this fund much larger, it may well be doubted whether the period has yet arrived, when it can be judiciously expended, for the promotion of the wise and benevolent purposes contemplated by the founders of the government.

Sparse population likely a difficulty that can not be overcome.

The sparseness of our population presents great, perhaps, insuperable difficulties. When, as the result of a wise and liberal system of legislation, the inlets upon our coast shall receive the improvement of which they are susceptible, when our great natural highways, the rivers connected with them, shall assume that condition in which Providence designs they shall be placed by our hands, when these channels of communication shall be intersected by railroads and canals; and as the natural consequence of this state of things, agriculture shall receive her appropriate reward, we shall have laid the foundation of a school system, as extensive as our limits, and as enduring as our prosperity. A few individuals will not have been selected and cherished as the peculiar object of public patronage; but the general character of the country will be elevated, and thousands now too poor to afford the blessings of education to their children will find this, though the most important, but one of many advantages incident to our improved condition of life. Extended commercial facilities will stimulate to agricultural exertion;—in-

Internal Improvements first.

creased production afford the means of education ; and the diffusion of knowledge operate as the most certain preventive of crime. A more liberal scheme would be better suited to the condition of older and richer communities, and I trust the day is not very distant when it will be so to ours.

—*House Journal, 1833.*

11. WHY SCHOOLS WERE NOT ESTABLISHED.

More money expended on legislators than for all other purposes.

The apathy which has pervaded the legislation of half a century is most strikingly exhibited by the fact, that the mere expenses of the General Assembly have ordinarily exceeded the aggregate expenditures of all the other departments of the Government, united to the appropriations which have been made, for the purposes of Internal Improvement. That government can not be wisely administered, where those who direct the expenditure of the public treasure, receive more for this service than the amount of their disbursements.

DAVID L. SWAIN.

—*From Message to Legislature, 1833.*

12. ASSEMBLY COMMITTEES ON EDUCATION.

George C. Mendenhall, of Guilford; George Phillips, ^{Senate.} of Ashe; Duncan McCormick, of Cumberland; William R. Hall, of Brunswick; William E. Smaw, of Beaufort; Herod Faison, of Northampton; Thomas W. Norman, of Granville, and A. W. Mebane, of Bertie.

—*Senate Journal*, 1833-34.

J. B. Jones, Currituck; Thos. J. Pugh, Bertie; William ^{House.} L. Kennedy, Beaufort; Cullen A. Blackman, Wayne; Archibald Monk, Sampson; George Boddie, Nash; John H. Montgomery, Moore; William A. Graham, Hillsborough; John E. Brown, Caswell; R. H. Alexander, Salisbury; William McLean, Cabarrus; Alanson W. Moore, Rutherford; Harrison M. Waugh, Surry.

—*House Journal*, 1833-34, p. 142.

13. REPORT AND RESOLUTION OF COMMITTEE ON EDUCATION.

Wednesday, December 18, 1833.—Mr. Mendenhall, from the committee on Education and the Literary Fund, made a detailed report thereon, accompanied by the following resolutions, to wit:

Swamp lands
belong to Literary
Board.

Resolved, That, in the opinion of this Legislature, all the vacant and unappropriated marsh and swamp lands in this State were, by the law passed in 1825, actually transferred, and do now belong to the Literary Fund of this State.

And whereas there are large tracts of marshy and swampy lands, belonging to said Literary Fund, which, from their situation, cannot be of advantage or become in any manner available without draining the same, and the draining said lands being by law placed beyond the reach of individual enterprize; and whereas it is believed to be an act of justice to the citizens. and a prudent course to be pursued, that an attempt be made to drain said lands, or a part thereof: Therefore it is further

Swamp lands to
be drained.

Resolved, That the president and directors of the Literary Fund be empowered, and they are hereby authorized to expend of said fund any sum not exceeding thirty thousand dollars in the draining of any of the vacant and unappropriated swamp lands belonging to said Literary Fund, which they may deem advisable Which were read the first time and passed, and, on motion of Mr. Meares¹, ordered that the said report and resolutions lie on the table and be printed.²

—*Senate Journal*, 1833-34, p. 59.

¹ William B. Meares, New Hanover.

² This resolution was defeated. See later proceedings.

The Report.—The Committee on Education and the Literary Fund to whom was referred so much of his Excellency, the Governor's message as relates to that subject, and also the report of the President and Directors of the Literary Fund—Report, that they have examined the law establishing the Literary Fund of this State, and considered of the question presented in the Governor's message, with much care and attention; and your Committee are all clearly of the opinion and well satisfied that whatever might have been the intention of the framers of the law of 1825, still the law itself does give and has transferred not only the proceeds of the vacant and unappropriated swamp lands in this State to that fund, but that the land *itself* is by law conveyed and is now the property of the Literary fund, set apart by law for the establishing of Common Schools.

Swamp lands now property of Literary Board.

Your committee perceive by a reference to years past since the said fund was created, that there has been a slow and gradual increase of the same, and in no three years together has the increase from all sources been so great as that of the past year, which has been entirely owing to a dividend of a part of the stock in the Banks of Newbern and the State Bank of North Carolina on shares belonging to the Literary Fund.

Literary Fund has gradually increased.

Your Committee were anxious to recommend some method both of which the number of children in the State now without the means of education could be properly ascertained; and also if possible to devise some plan by which a course of Common Schools should be commenced throughout the State for the benefit of those who are unable to procure a common education. But in reviewing the extent of Territory within our limits, and the population it contains with a due regard not only to the amount of available funds, but also to a proper and prudent management of the same so as to answer the wise and benevolent purposes intended by the law creating the Fund.

No plan of schools can now be established with funds in hand.

Anxious to establish schools; Literary Fund should be increased first.

Your Committee believe they would be doing injustice to the intention of the framers of the law, and the object they had in view to recommend any plan or course of expenditure so as to diminish the principal sum in the support of schools—Although your Committee believe there is an anxious solicitude on the part of all (and on the part of none more than each member of your Committee) to impart instruction from the bounties of the State, to those unable to obtain the benefit of schools, and to strew, as it were, in broad cast, the benefits of education into every Cottage throughout the country, and to bring the means within the reach of every poor man's door; still your Committee are constrained to say that the only wise and safe course the Legislature can pursue is to forbear engaging in any general plan of establishing Common schools until any course which can be adopted can be supported by expending the interest and no more, in carrying on the same, otherwise the influence and benefits of the system must be partial in its effects and short in its duration.

Swamp lands considered.

Your Committee have duly considered the plan, recommended by the President and Directors of the Literary Fund in their report in regard to the vacant and unappropriated swamp lands of this State, with reference also to the quantity mentioned in the Governor's message, and as one great object and desire on the part of your committee is, if possible, to devise ways and means to increase the amount of the Literary Fund, until the annual interest arising therefrom will be sufficient to justify an undertaking so desirable, of so much importance and of so much general usefulness to the younger Classes of society, hundreds of whom though poor are children of much promise. Your Committee are therefore of the opinion that the most probable means of increasing the principal amount of the fund, is to effect the draining some of the lakes or swamp lands in this State, and thereby become enabled

Lands ought to be drained, thereby increasing the Literary Fund.

to bring into market a considerable quantity of the most valuable property now belonging to the Fund, and which must remain wholly unavailable, and worthless until some such enterprise is accomplished; and your Committee are induced to believe, from information derived in various ways, that the lands when thus drained, will be of a highly fertile character, and will command the highest prices for Cultivation; perhaps from five to fifteen or twenty dollars per acre. Your Committee have, therefore, been brought to believe that, although it might and would be far better to accept the plan recommended by the President and Directors of the Literary Fund, rather than suffer those extensive bodies of vacant and unappropriated swamp lands to remain untouched by public and placed as they are beyond individual enterprise; but your Committee think that from the examinations and surveys already made, the prospect of success in an attempt to drain those lands is now clothed with sufficient certainty, or at least probability, to render it unadvisable for the State to part with so large a portion as one half of all the lands which might be drained by the plan recommended; and therefore, your committee under all the circumstances, believe it the far preferable course for the attempt to be made at the instance of the Public, and the expense of the Literary Fund at once, which, upon the lands being laid bare by draining, would increase the capital of that Fund to an amount which, in the opinion of your Committee, would well justify the hazzard of the undertaking. Your Committee, therefore, think the President and Directors of the Literary Fund, who, by law, consist of the Governor, Chief Justice of the Supreme Court, the Speaker of the two Houses, and Treasurer of the State should be invested with power to appropriate any sum not to exceed \$30,000 to be expended in draining any of the vacant and unappropriated swamp lands in this State, which in their estima-

Plan considered.

Appropriation recommended.

tion, may be deemed most advisable, and most likely to result to Public advantage.

Your Committee, therefore, ask leave to report the accompanying resolution upon the subject, and recommend its adoption.

GEO. C. MENDENHALL, Chairman.

—*From Legislative Documents, 1833.*

Plan to drain
swamp lands fails
in Senate.

Wednesday, Jan. 1, 1834.—On motion of Mr. Pugh¹, the Senate proceeded to take up and consider the resolution authorizing the president and directors of the Literary Fund to drain the swamp lands; and on the resolution being read, Mr. Meares moved to amend the resolution by adding the following proviso, to wit: "Provided that said president and directors shall not run any canal through lands of individuals which extend more than one half mile in length, without first contracting with such individuals for the purchase thereof;" which amendment was agreed to. The question then recurring on the passage of the resolution the second time, it was decided in the negative—ayes 27, noes 33.

—*Senate Journal, 1833-34, p. 88.*

¹ Dameron Pugh, Hyde.

Motion to recon-
sider vote on
swamp land reso-
lution fails.

Thursday, Jan. 2, 1834.—A motion was made by Mr. Stedman¹ to reconsider the vote, taken on yesterday, on the second reading of the resolution authorizing the president and directors of the Literary Fund to drain the swamp lands; and the question being put, will the Senate reconsider the vote? it was decided in the negative.

—*Senate Journal, 1833-34, p. 92.*

¹ Nathan A. Stedman, Chatham.

Friday, Jan. 3, 1834.—Mr. Cooper¹ presented the following preamble and resolution, to wit:

Whereas it is desirable by the free white citizens of North Carolina, that public schools should be established throughout the State; therefore

Resolved, For the purpose of carrying this grand object into effect, on the best and safest principles, a joint select committee, consisting of ten members from each House, be raised, for the purpose of inquiring into the expediency of limiting the sessions of the General Assembly to forty days; and that they have leave to report by bill or otherwise.

Resolution to limit sessions of Legislature to forty days and thus increase school fund.

Which was read, and, on motion of Mr. Brittain², of Laid on table. Burke, ordered to lie on the table³.

—*Senate Journal*, 1833-34, p. 93.

¹ Jesse Cooper, of Martin, on death of David Latham.

² Mark Brittain.

³ Never taken from the table.

14. OBJECTION TO CHARTERING DENOMINATIONAL SCHOOLS.

Bills introduced to charter two denominational schools.

Wednesday, December 4, 1833.—Mr. Battle¹ presented a bill to establish a Literary and Manual Labor Institution in the county of Wake; and Mr. Hargrove², a bill to incorporate the Greensborough Academy and Manual Labor School. These bills were read the first time and passed.

—*House Journal*, 1833-34, p. 166.

¹ William H. Battle, of Franklin.

² William R. Hargrove, of Granville.

Both bills referred to the committee on education.

—Thursday, December 5, 1833.—The bill to establish a Literary and Manual Labor Institution in the county of Wake, was, on motion of Mr. Kittrell¹, referred to the committee on Education.

House Journal, 1833-34, p. 168.

¹ Pleasant W. Kittrell, of Anson.

Saturday, December 7, 1833.—The bill to incorporate the Greensborough Academy and Manual Labor School, was, on motion of Mr. Hargrove, referred to the committee on Education.

—*House Journal*, 1833-34, p. 170.

Report of Education Committee on School Charters.—The Committee upon Education to whom were referred the bills to establish a Literary and Manual Labor institution in the County of Wake and the bill to incorporate the Greensborough Academy and Manual Labor School,

having had the same under consideration, beg leave respectfully to make their report.

They recommend that said bills be passed into laws with the following amendments, to wit: That the bill to incorporate the Greensborough Academy, etc., be amended by striking out that part of the bill in the third section: "The Presbytery of Orange shall elect such trustees" and inserting the words, "remaining and surviving trustees;" and by adding a clause subjecting the real estate which may be possessed by said corporation to taxation as other real estate, except five hundred acres upon which may be erected the buildings for literary purposes. And that the bill to establish a Literary and Manual Labor Institution in the county of Wake be amended by striking out the name of Joseph Spurgeon and inserting the name of Josiah Wiseman, and by adding a clause pertaining to the taxation of real estate, as in the other bill.

Bills and amendments reported.

Your committee are aware that apprehensions are entertained that if these bills be passed into laws a class of individuals in their corporate capacity may have conferred upon them privileges, if not incompatible with our Constitution and Bill of Rights, yet inconsistent with the freedom and genius of our institutions. These bills having no object but to found and establish institutions to promote learning and disseminate knowledge, it would seem to us, that no just apprehension could well be entertained.

Report of the committee.

It appears, from the legislation of the State heretofore, that the principles of these bills have been clearly sanctioned, if not transcended. An act was passed in the year 1796, entitled an act to secure property to religious societies or congregations of every denomination, which act authorized any religious society to select trustees who were empowered and vested with full and ample authority to purchase and hold in trust for such religious society any lands, houses, or tenements, and to receive donations of any nature or kind whatsoever for the use and benefit

Objections to schools on constitutional grounds.

Principles of the bills already sanctioned by the Legislature.

of such society. And by an act passed in the year 1809, amendatory of the act of 1796, the trustees were enabled to sue and be sued, plead and be impleaded. These acts were manifestly passed to enable the several religious societies of this State to advance and promote religion. The aim and intent of these bills are to diffuse the blessings of an education and a knowledge of the mechanic arts.

Ravenscroft Academy bill of 1831 similar to these bills.

In the year 1831, an act was passed to incorporate the Ravenscroft Academy in the town of Fayetteville, which embraces principles analogous to these bills. Your committee conceive that, if this act remains upon your statute book and these bills are forbidden to be passed, upon that contingency, there would then be established by law a set of men entitled to exclusive privileges and emoluments, which is forbidden by the Bill of Rights.

State can not establish schools; should encourage the denominations to do so.

Your Committee are aware that the State can not at this time, without imposing an exceedingly onerous burden on the people, comply with the 41st Section of our Constitution, which imperatively requires that a school or schools shall be established by the Legislature for the convenient instruction of youth, with such salaries to the masters paid by the public as may enable them to instruct at low prices. To effect this noble purpose, the instruction of the youth of our State, associations of individuals, whether of the different denominations of Christians or not, have asked of us the common privilege of incorporation, which has been so freely bestowed by the Legislature on associations of individuals for inferior objects.

The bills will aid in diffusing knowledge; no religious denomination given preference by them.

The Committee beg leave to submit another remark: that as all political power is vested in and derived from the people, it becomes the duty of the Legislature to diffuse information and knowledge amongst the people. And it does appear to your Committee that this duty can be performed to a great extent by passing these bills into laws and enacting others of a like character. In doing so, we are not impugning another section of our Constitution

which forbids the establishment of one religious church in this State in preference to any other.

All which is respectfully submitted.

R. H. ALEXANDER,¹ Chairman.

—*From Unpublished Legislative Documents, 1833-34.*

¹ Mr. Alexander represented the borough of Salisbury in House of Commons, 1833-34.

Wednesday, December 11, 1833.—Mr. R. H. Alexander, from the committee on Education, to which was referred the bill to incorporate the Greensborough Academy and Manual Labor School, reported the same with sundry amendments. The said bill was further amended on motion of Mr. Daniel, read the second time and passed—Yeas 95, nays 34. The yeas and nays called for by Mr. Wiseman.

Those who voted in the affirmative were Messrs. R. H. Alexander, Barco, Barringer (D. M.), Battle (William H.), Blackman, Brandon, Brower, Burgin, Calvert, Cansler, Carter, Clement, Coleman, Corpening, Cotten, Courts, Daniel, Dawson, Edmonston, Ennett, Fisher, Gillespie, Graham, Grier, Guinn, Hardee, Hardison, Hargrove, Houghton, Hawkins, Henry, W. Horton, Irion, Irvine, J. B. Jones, Wm. Jones, Wesley Jones, J. D. Jones, Kennedy, King, Kittrell, Latham, Leonard, Lilly, Locke, Lyon, Macklin, Malloy, Marsteller, Martin, Mixon, Moore, Monk, Montgomery, Mullen, Murray, McCleese, McGhee, W. McLean, McLeod, McNeill, Outlaw, Phelps, Poindexter, W. Potts, Powell, Peebles, Rand, Register, Relfe, Ridick, Roberts, Saunderson, Seawell, Shepard, Sloan, Smallwood, J. L. Smith, C. Smith, Stephens, Tatham (Latham?), Thomas, Thompson, Tillet, Watson, Waugh, Weaver, Welch, Whitehurst, Willey, Williams, Wilson, Witcher, Wyche, Ziglar—Yeas 95.

Vote in the House on the second reading of the Greensborough Manual Labor School bill.

Those who voted in the negative were Messrs. G. H.

Alexander, Allen, Allison, Boddie, Brown, Bynum, Cherry, Cloman, Cromwell, Dodson, Foreman, Foscue, Grady, Guthrie, Hammond, Harper, J. Horton, Houlder, Jasper, Ro. Jones, Judkins, Ledford, Leffers, Long, Pierse, J. W. Potts, Pugh, Raper, Settle, Smithwick, Stockard, Taylor, Wadworth, Wiseman—nays 34.

Vote on Wake
Forest Institute
Bill.

Mr. R. H. Alexander, from the committee on Education, to which was referred the bill to establish a Literary and Manual Labor School in the county of Wake, reported the same with Sundry amendments. The amendments were concurred in. The bill was further amended on the motions of Mr. Daniel and Mr. McNeill, and read the second time and passed—Yeas 91, nays 36. The yeas and nays were demanded by Mr. Edmonston¹.

—*House Journal*, 1833-34, pp. 177 and 178.

¹ On the vote on this bill the division was practically as on the other bill, except that Messrs. Edmonston and Hawkins, who voted in the affirmative on the Greensborough bill, voted in the negative on this bill.

Greensboro bill
passes third read-
ing; Wake Forest
bill recommitted.

Monday, Dec. 16, 1833.—The bill to incorporate the Greensborough Academy and Manual Labour School was read the third time and passed, and ordered to be engrossed.

The bill to establish a Literary and Manual Labor School in the county of Wake, was, on motion of Mr. Roberts, recommitted to the committee on Education.

—*House Journal*, 1833-34, p. 187.

Report on recom-
mitted Wake Forest
bill.

The Committee upon Education to whom was referred a bill to establish a literary and manual labor institution in the county of Wake beg leave to report:

As to the bill recommitted to them, they have decided that the amendments which were offered and passed in the House be stricken out and that the bill be passed as

originally reported. Your committee having heretofore offered their reasons in favor of the passage of these bills, or ones similar in principle, deem as an useless waste of time again to repeat them.

Recommended
amendments be
stricken out.

All of which is submitted.

R. H. ALEXANDER, *Chairman.*

—*Legislative Documents, 1833-34.*

Wednesday, Dec. 18, 1833.—Mr. R. H. Alexander, from the committee on Education, to which was referred the bill to establish a Literary and Manual Labor School in the county of Wake, reported the same with sundry amendments. Mr. Settle moved that the said bill be indefinitely postponed. The question thereon was decided in the negative—Yeas 32, nays 90. The yeas and nays¹ demanded by Mr. Settle².

Wake Forest bill
Passes House on
third reading.

The said bill was read a third time, amended, passed, and ordered to be engrossed.

—*House Journal, 1833-34, pp. 191 and 192.*

¹The vote was practically the same as on the second reading of the Greensborough bill.

² Benjamin Settle, Rockingham.

Saturday, Dec. 21, 1833.—A message from the Senate, informing that they had passed the engrossed bill to incorporate the Greensborough Academy and Manual Labor School¹.

Greensboro bill
passes Senate.

—*House Journal, 1833-34, p. 198.*

¹The passage of this bill, as well as the bill for the Wake County school, was also resisted in the Senate. See the following pages.

Tuesday, Dec. 24, 1833.—A message from the Senate informing that they had passed the engrossed bill to establish a Literary and Manual Labor Institution in the county

Wake Forest bill
passes Senate;
amendments.

of Wake, with amendments, and asking the concurrence of this House. The amendments were read and concurred in.

—*House Journal, 1833-34, p. 201.*

Vote on the
Greensboro school
bill in Senate,
second reading.

The engrossed bill to incorporate the Greensborough Academy and Manual Labor School, was read the second time, and amended on motion of Mr. Skinner of Perquimans, and Mr. Mendenhall, and passed—Ayes 31, noes 25. The ayes and noes being demanded by Mr. Mendenhall, are as follows, to wit:

Those who voted in the affirmative, are Messrs. Beard, Brittain of Burke, Caldwell, Clayton, Elliott, Faison, Foy, Gavin, Hinton, Howell, Hussey, Jones, Kendall, Klutts, McCormick, Martin of Richmond, Martin of Rockingham, Meares, Mendenhall, Moore, Morris, Morrison, Murchison, Sherard, Shuford, Skinner of Perquimans, Skinner of Chowan, Spaight, Stedman, Stone, Vann.

Those who voted in the negative, are Messrs. Arrington, Brittain of Macon, Dobson, Edwards, Flowers, Hall, Harrison, Hoke, Kerr, Lindsey, Mann, Matthews, Melvin, Montgomery, Moye of Greene, Moye of Pitt, Nash, Phillips, Simmons, Sitton, Skinner of Pasquotank, Smaw, Vanhook, Walton, Wilder.

—*Senate Journal, 1833-4, p. 61.*

Vote on Greens-
boro bill on third
reading.

The engrossed bill to incorporate the Greensborough Academy and Manual Labor School, was read the third time.—Mr. Hoke moved to amend the bill by adding the following proviso at the end thereof, to wit: "Provided that all donations which may be made to the said society shall be applied to the education of poor children." Which amendment was not agreed to. Mr. Sherard moved that the further consideration of the said bill be postponed indefinitely; which was not agreed to—Ayes 28, noes 31.

The ayes and noes being demanded by Mr. Sherard, are as follows, to wit:

Those who voted in the affirmative, are Messrs. Samuel L. Arrington, Nash; Mark Brittain, Burke; Benjamin S. Brittain, Macon; Otway Burns, Carteret; Wm. P. Dobson, Surry; Weldon N. Edwards, Warren; Hardy Flowers, Edgecombe; Wm. R. Hall, Brunswick; James Harrison, Jones; Daniel Hoke, Lincoln; James Kerr, Caswell; Daniel Lindsey, Currituck; Ephraim Mann, Tyrrell; Isham Matthews, Halifax; Robert Melvin, Bladen; Wm. Montgomery, Orange; Wyatt Moye, Greene; Alfred Moye, Pitt; Enoch Nash, Camden; George Phillips, Ashe; Gabriel Sherard, Wayne; Luke R. Simmons, Columbus; Wm. Sitton, Haywood; Jos. M. Skinner, Pasquotank; Wm. E. Smaw, Beaufort; Robert Vanhook, Person; John Walton, Gates; Hillory Wilder, Johnston.

Those who voted in the negative, are Messrs. John Beard, Jr., Rowan; Jos. P. Caldwell, Iredell; John Clayton, Buncombe; Josiah Collins, Washington; Henry B. Elliott, Randolph; Herod Faison, Northampton; Edward C. Gavin, Sampson; Charles L. Hinton, Wake; Shadrach Howell, Robeson; John E. Hussey, Duplin; Edmund Jones, Wilkes; Reuben Kendall, Montgomery; George Klutts, Cabarrus; Duncan McCormick, Cumberland; Alexander Martin, Richmond; Robert Martin, Rockingham; Wm. B. Meares, New Hanover; A. W. Mebane, Bertie; George C. Mendenhall, Guilford; Matthew R. Moore, Stokes; Wm. A. Morris, Anson; Washington Morrison, Mecklenburg; Duncan Murchison, Moore; Thos. W. Norman, Granville; Martin P. Shuford, Rutherfordton; Henry Skinner, Perquimans; Jos. B. Skinner, Chowan; Richard D. Spaight, Craven; N. A. Stedman, Chatham; Thos. G. Stone, Franklin; John Vann, Hertford.

Mr. Montgomery moved that the further consideration of the said bill be postponed until tomorrow; which was not agreed to. The question then recurring on the pas-

sage of the bill the third time, it was decided in the affirmative, and a message sent to the House of Commons, asking their concurrence in the amendments.

—*Senate Journal, 1833-4, pp. 62 and 63.*

Wake Forest bill
in Senate, on
second reading.

The engrossed bill to establish a Literary and Manual Labor Institution in the county of Wake, was read the second time. Mr. Skinner, of Perquimans, moved to amend the bill by striking out the following words, to wit: "except five hundred acres on which the building shall be erected for the purposes contemplated in said act;" which amendment was agreed to. Mr. Spaight moved further to amend the bill by inserting after the word "politic" in the first section, the following words, to wit: "for the purpose of educating youth, and for no other purpose whatever;" also after the word "donor," in the same section, to insert the following words, to wit: "to the purposes hereby declared"; which amendments were agreed to, and the bill, as amended, was read the second time and passed; and was subsequently read the third time, amended on motion of Mr. Spaight, and passed—Ayes 29, noes 29—the speaker¹ voting in the affirmative. The ayes and noes being demanded by Mr. Moye, of Greene, are as follows, to wit:

Wake Forest bill on
third reading in
Senate.

Those who voted in the affirmative, are Messrs. Beard, Caldwell, Clayton, Collins, Elliott, Faison, Gavin, Hinton, Howell, Hussey, Jones, Kendall, McCormick, Martin of Richmond, Meares, Mebane, Mendenhall, Moore, Morris, Morrison, Nash, Norman, Shuford, Skinner of Perquimans, Skinner of Chowan, Spaight, Stedman, Stone, Vann.

Those who voted in the negative, are Messrs. Arrington, Brittain of Burke, Brittain of Macon, Burns, Cooper, Dobson, Edwards, Flowers, Foy², Hall, Harrison, Hogan, Hoke, Kerr, Lindsey, Mann, Matthews, Montgomery,

¹ William D. Moseley, Lenoir.

² Thomas Foy, Onslow.

³ Dameron Pugh, Hyde.

Moye of Greene, Moye of Pitt, Phillips, Pugh³, Sherard, Simmons, Sitton, Skinner of Pasquotank, Vanhook, Walton, Wilder.

—*Senate Journal, 1833-4, pp. 67 and 68.*

15. "OLD FIELD" ON THE NECESSITY FOR SCHOOLS.

From the Western Carolinian.

North Carolina a
century behind
other States.

Mr. Editor: In your last paper I observed a piece taken from the '*Family Lyceum*,' which contains a great deal of matter upon the subject of the School Funds in the different States. What a mirror is it to the eyes of a North Carolinian? We see from that, that she, upon this, as upon all other subjects of importance to her citizens, is almost a century behind her sister States. True, she has a small school fund, but how is it applied? Do we use it for the purpose of bringing within the reach of the children of the poor, the means of education? No, but we borrow from it, from year to year, to pay our members of Assembly? How humiliating this must be to the pride of every public-spirited citizen. The State of N. Carolina borrowing money to pay her members of Assembly, from a fund set apart for the education of the poor! Shame upon our law-givers. Can we expect to compete with our sister States, in the march of improvement now going on, while many of our citizens remain ignorant even of the alphabet? Can we expect to arouse them to the importance of internal communication, by means of Canals, or Rail Roads, while they remain ignorant even of the names of these mediums of conveyance? Surely not. A child must crawl before it can walk.—Our citizens must learn how to spell Internal Improvements before they can comprehend the meaning of the term.

Use of Literary
Fund.

People must learn
to spell internal
improvements
before we shall
have them.

Time to begin
some system of
schools.

I have thrown out these desultory remarks, in the hope, Mr. Editor, that some person more able than I am, would urge the importance of some system of Common Schools, to the citizens of our State. It is high time we were thinking upon the subject.—It is one of vital importance to our welfare.

OLD FIELD.

—In *Raleigh Register*, Aug. 13, 1833.

1834

1. TAXATION AND REVENUE SYSTEM.
2. FRIENDS ASK FOR REPEAL OF CERTAIN SLAVERY LAWS.
3. JOHNSTON COUNTY FREE SCHOOL LAW REPEALED.
4. ASSEMBLY COMMITTEES ON EDUCATION.
5. ASSEMBLY RESOLUTIONS ON EDUCATION.
6. HOUSE REPORT ON EDUCATION.
7. PROCEEDINGS OF LITERARY BOARD.
8. REPORT OF LITERARY BOARD.
9. McQUEEN'S EDUCATION BILL.
10. THE STANDARD'S COMMENT ON McQUEEN'S BILL.
11. THE STAR ON FREE SCHOOLS.

1. TAXATION AND REVENUE SYSTEM.

Treasury gradually
running in debt
each year.

The revenue system of the State is radically defective, and requires both revision and amendment. For some years past the disbursements from the Public Treasury have exceeded the ordinary receipts, and we have been gradually consuming the principal of a productive fund which had been accumulated by the economy of preceding years. The investments which have been made in the stock of the Bank of the State of North Carolina, leaves it no longer in our power to pursue this exhausting process, and we are compelled to provide other means to defray the expenses of the Government. This it is believed may be effected without any increase of the present rate of taxation, if provision is made to secure a fair valuation of real estate, and to ascertain the number of individuals legally liable to poll tax. The Government of the country should never hold out temptations to its citizens to do wrong. Such however is the manifest tendency of the most important principles of our fiscal system. In practice, whatever may have been the theoretical speculations of the law giver, every owner of real estate assesses the value of his own free hold, and it follows as a necessary consequence, that the individual, who is honest under all circumstances, contributes his fair proportion to the maintenance of the Government; while he who is less conscientious receives a direct reward for his iniquity.

Property assessed
too low.

Many slaves not
listed for poll tax.

The same objection applies with still greater force to the regulations under which the poll tax is levied. All slaves over twelve and under fifty years of age are subject to a capitation tax. If every slave holder in the community were entirely disposed to do so it is no very easy task to ascertain accurately the proportion of his slaves who are over twelve and under fifty years of age. Records are rarely kept of the ages of those born upon our estates.

and we have still greater difficulty in ascertaining the ages of such as have been acquired by purchase or inheritance. He, however, who is not scrupulously honest, may satisfy his conscience by very superficial inquiries, when they agree with his interest; and the individual who is entirely beyond the influence of moral coercion may commit fraud with impunity. Attempts to detect crimes of this character, are rarely made; and if they were more frequent, success, in the nature of things, is nearly impossible. A single example will suffice to establish the correctness of these remarks, and shew the extent to which the revenue is defrauded. The aggregate number of slaves in this State, in 1830, was 246,462. At least one half of these, by every authorized principle of computation, were between the ages of twelve and fifty years, and at the rate of twenty cents each, should have contributed to the public treasury 24,646 dollars. The entire amount of poll tax derived in that year, from this source, and from the same rate of taxation imposed on every free male between the ages of twenty-one and forty-five, in a population less than half a million was \$28,211.35 exclusive of the six per cent. commissions retained by the Sheriffs for collection. It is confidently believed that if a fair mode for the valuation of lands were provided, and a proper system of accountability were devised with respect to the poll tax, that the amount of revenue derived from these sources would be increased one-fourth, and that this reform alone would enable the Public Treasurer to meet the ordinary expenditures from his department. With respect to the tax on slaves, a simple, easy and efficient remedy would probably arise from abolishing the discrimination of ages, and imposing a tax on each. In practice it will be found no more burthensome, and the process more simple, to give in the whole number of slaves at ten cents, than to ascertain the number of those between twelve and fifty, who are subject to twenty cents; and those who now misrepresent

Amount of revenue
out of which the
State is defrauded.

the ages of their slaves, without the fear of detection, will find it much more difficult to conceal their number.

Poll tax too high
in proportion to
other taxes.

I have therefore ventured to express the opinion, that too large a proportion of the public burthen is imposed upon those who are subject to a poll tax only, and that the range of taxation should be extended. Subsequent reflection has satisfied me entirely of the correctness of the position. The poll tax on the day laborer and the capitalist is precisely the same; and it sometimes happens that the latter, like the former, is subject to no other species of contribution. In the one case it is an onerous imposition; in the other, a tax a thousand fold greater might occasion no sensible inconvenience. It seems at least to be worthy of consideration, whether pleasure carriages, and other articles of luxury, and especially collateral inheritances, should not be brought within the operation of our revenue laws.

—*From Governor Swain's Message, Nov. 1834.*

2. FRIENDS ASK FOR REPEAL OF CERTAIN SLAVERY LAWS.

MEMORIAL AND PETITION

Of the Religious Society of Friends, convened at New Garden, in Guilford County, North Carolina, in the Eleventh month, 1834.

To the General Assembly of the State of North Carolina,

Respectfully sheweth—That your Memorialists, entertaining a hope that you will be disposed seriously to consider any subject connected with the great principles of Civil and Religious Liberty, affecting every class of citizens, respectfully present this Memorial.

In this enlightened age and country, and before the Assembly to which your Memorialists now appeal, we deem it unnecessary to urge the incontrovertible arguments that might be advanced from reason and Religion, to prove that it is the indispensable duty of the Legislature of a Christian people to enact laws and establish regulations for the literary instruction of every class, within its limits; and that such provisions should be consistent with sound policy, tend to strengthen the hands of Government and promote the peace and harmony of the community at large.

Your Petitioners consider it a high privilege, that they are subjects of a Government, mild in its form and professedly Republican; that the people have annually the choice of their Legislators—a circumstance that lessens the difficulty and delicacy of petitioning for the repeal of laws enacted by preceding Legislatures and encourages their hope of success.

Your Memorialists are therefore emboldened under a weighty concern of Religious duty, to petition the present General Assembly of North Carolina to repeal all those laws, enacted by preceding Legislatures of this State, against the literary instruction of Slaves, making it a

Duty of the Legislature to provide instruction for all classes.

Ask repeal of laws prohibiting instruction of slaves; also the law to prevent negroes from preaching.

finable offence for any to be found to be teaching them to read. And they respectfully request your consideration of the repeal of the law recently enacted, prohibiting all coloured persons in this State, bond or free, upon the penalty of corporeal punishment, from public preaching, exhorting, &c. in their respective Religious Congregations or Societies. We consider these laws unrighteous, offensive to God and contrary to the spirit and principles of the Christian Religion; and your Memorialists believe, if not repealed, will increase the difficulties and danger they were intended to prevent.

Friends encourage obedience of slaves.

Your Petitioners, so far from using any measures, either publicly or privately, that would tend to increase their discontent with their situation, feel it their indispensable duty, upon all suitable occasions, to encourage slaves to obedience and faithfulness to their masters, as the most probable means of mitigating their sufferings, and ameliorating their present condition. We would exhort them in the language of the Apostle—

“Servants be obedient to your Masters”—and we do exhort Masters to be kind to their Slaves, as, we have no doubt, such Christian usage would induce a reciprocity of kindlier feelings between them, and ultimately tend to increase the happiness of both, and also promote the harmony and prosperity of the Civil and Religious community. And may we not believe that the more we live in the spirit and in the practice of the precepts of the Gospel of Jesus Christ, the more kind and gentle will be our treatment of every grade of our fellow creatures—for was not the harmonizing and evangelizing of the whole human family, one of the grand purposes for which this Religion was introduced into the world?

Laws asked to encourage education of slaves.

And lastly, your Petitioners would respectfully submit to your consideration, not only the repeal of those laws before mentioned, but the enacting of other laws and regulations for the general instruction of Slaves, in the

doctrines and precepts of the Christian Religion, and in so much of literary education at least, as will enable them to read the Holy Scriptures, which would undoubtedly tend to the improvement of their general character, and condition, and greatly lessen if not wholly remove, the apprehensions of danger from them.

And may you be influenced by that wisdom which is from above, which is profitable to direct, and which the Apostle says, "is first pure, then peaceable, gentle and easy to be entreated, full of mercy and good fruits." That you may be enabled to enact righteous laws, the operation and execution of which may be a terror to evil-doers, an encouragement to those that do well, and to the praise of God; that violence may no more be heard in our land, but that Righteousness, which exalteth a nation, may so prevail, that the threatening judgments of Heaven on account of sin (which is a reproach to any people) may be averted; that you may so discharge all your various Legislative duties as to feel that peace that passeth all understanding; and may the Blessing of the Most High rest upon you, and be more signally and generally dispensed on the inhabitants of this highly favoured country. So prayeth your petitioners and peaceable Christian citizens.

Signed on behalf, and by direction, of the aforesaid yearly meeting, by

JEREMIAH HUBBARD, *Clerk.*

—*Unpublished Legislative Documents.*

3. JOHNSTON COUNTY FREE SCHOOL LAW REPEALED.

Wednesday, November 26, 1834.—Mr. Wilder¹ presented a bill, entitled a bill to repeal an act entitled “an act to raise a fund to establish free schools in the county of Johnston, and for the government thereof”, passed in the year 1831; which was read the first, second and third times and passed, and ordered to be engrossed².

—*Senate Journal, 1834-35, p. 19.*

¹ Hillary Wilder, of Johnston county. Josiah Houlder presented the bill in the House of Commons. James Tomlinson was the other Johnston member in the House.

² The act of repeal passed House of Commons Thursday, Nov. 27, 1834. See House Journal, 1834-35, p. 156.

4. ASSEMBLY COMMITTEES ON EDUCATION.

Thursday, Nov. 20, 1834.—On Education and Literary ^{Senate.}
Fund, Messrs. Samuel L. Arrington, of Nash; Hugh
McQueen, of Chatham; John J. McMillan, of Bladen;
Duncan McCormick, of Cumberland; Ephraim Mann¹, of
Tyrrell; Robert Martin, of Rockingham; Maurice Moore,
Brunswick; Caleb Spencer, Hyde.

—*Senate Journal, 1834-35, p. 8.*

¹ Died at Raleigh, Monday, December 1, 1834. *Senate Journal*,
1834-35, p. 28.

Wednesday, Nov. 19, 1834.—Thomas C. Matthews, ^{House.}
Pasquotank; Thomas J. Pugh, Bertie; John W. Potts,
Edgecombe; Matthias E. Manly, New Bern; Archibald
Monk, Sampson; George Boddie, Nash; Wm. Wadsworth,
Moore; William A. Graham, Hillsboro; Littleton A.
Gwyn, Caswell; William Foushee, Chatham; Michael
Hoke, Lincoln; James H. Perkins, Burke; Harrison M.
Waugh, Surry.

—*House Journal, 1834-35, p. 139.*

Bⁿ

5. ASSEMBLY RESOLUTIONS ON EDUCATION.

Friday, Nov. 21, 1834.—On motion of Mr. Monk¹,

To find out amount
of Literary Fund.

Resolved, That the committee on Education be instructed to inquire into and ascertain the amount of the Literary Fund from all sources, exclusive of lands appropriated to that object.

Resolved further, That said committee be instructed to enquire into the expediency of improving or disposing of a part or the whole of the Marsh and Swamp lands, lying in the eastern section of this State, appropriated to the use of common schools.

Swamp lands.

Resolved further, That said committee be instructed to inquire into the expediency of submitting some plan to ascertain the amount of latent claims to lands in this State, appropriated to the use of common schools.

—*House Journal*, 1834-35, p. 146-147.

¹ Archibald Monk, Sampson.

Monday, December 8, 1834.—On motion of Mr. McQueen,

Inquiry how Liter-
ary Fund may be
increased.

Resolved, That the Committee on Education be instructed to inquire into the expediency of providing by legislative enactment, for the enlargement of the Literary Fund, and to examine the different sources of the public revenue, for the purpose of ascertaining whether or not, there be any of its branches which can be safely diverted from the object to which they are applied at present; and added to the Literary Fund.

Present school
facilities to be
ascertained.

Resolved further, That the Committee on Education be instructed to inquire into the expediency of providing by law, for the attainment of such information as will en-

lighten the Legislature in regard to the present facilities for instruction, possessed by the people of North Carolina.

—*Senate Journal, 1834-35, p. 42.*

Monday, Dec. 22, 1834.—Mr. Lockhart¹ presented the following resolution, to wit:

Whereas it appears from the report of the Treasurer of the Literary Fund, that the amount thereof is inadequate to the purpose of a system of general education; and whereas, the State of North Carolina, is destitute of native, civil and military engineers: Therefore

Literary Fund too small to establish system of education; thinks it advisable to establish chair of engineering at University.

Resolved, That the committee on Education be instructed to enquire into the expediency of appropriating a part of the Literary Fund, to the purpose of establishing a professorship of civil and military engineering, in the University of North Carolina, for the purpose of instructing native youths in those branches of education, so that the practical services of the professor or professors and students shall be devoted to making such surveys, as the Legislature may from time to time order and direct, with a view to the internal improvement of the State; and that the committee have leave to report by bill or otherwise. Whereupon the said resolution was read and adopted.

—*Senate Journal, 1834-35, p. 67.*

¹ William B. Lockhart, Northampton county.

Resolved, That the Committee on Education be instructed to enquire into the expediency of making an appropriation from the literary fund for the purpose of draining a part of the marsh or swamp lands now devoted by law to the literary fund.

Appropriation to drain swamp lands.

Resolved further, That said Committee be instructed to report a bill directing the manner in which said lands shall be disposed of when drained and the purposes to which the proceeds shall be applied¹.

In House of Commons, Dec. 26, 1834. Read and adopted.

—*Unpublished Legislative Documents.*

¹Introduced by James A. King, of Iredell.

6. HOUSE REPORT ON EDUCATION.

The Committee on Education to which was referred several resolutions pertaining to the resources of the Literary Fund, and the best means of improving the same, have considered all of said resolutions.

REPORT.

That their attention was first directed to the amount of the fund for common schools from all sources as provided by the act of the General Assembly of 1825. That act creates a corporation under the name and style of the President and Directors of the Literary Fund: to which is transferred as a fund "for the support of common and convenient schools," the dividends arising from the stock held by the State in the Banks of Newbern and Cape Fear, which have not been before set apart for internal improvement; the dividends arising from stock of the State in the Cape Fear, the Roanoke, and Club Foot and Harlows Creek Canal, Navigation Companies; the tax derived from retailers of spirituous liquors and auctioneers; the unexpended balance of the agricultural fund; (excepting the Cherokee lands) the sum of twenty-one thousand and ninety dollars due from the federal Government on account of reservation of lands, purchased by this State from the Cherokee Indians; and of all the vacant and unappropriated swamp lands in this State, together with such sums of money as the Legislature may thereafter appropriate.

Present condition
of Literary Fund.

From these various sources divers sums of money have been raised, which the President and directors of the literary fund, under the direction of the aforesaid act of 1825, have invested chiefly in the purchase of stocks in the Banks of this State, and from the statements furnished in the last annual report of the Public Treasurer, the avail-

able funds of the corporation appear to be as follows:

To wit:

Statement of the
amount of the
fund.

1200 shares of stock in Bank of the State of North Carolina	\$120,000
Cash	19,403.99½
50 shares of stock in Bank of Cape Fear	5,000.00
141 shares of stock in Bank of Newbern	\$14,100
On which there have been divi- dends of 25 & 20 per centum	6,345
Less 20 per cent on each share	2,820
	\$ 9,165
282 shares of stock in the State Bank of N. C., \$28,200	4,935.00
On which dividends of 50 and 20 and 10 per cent have been re- ceived equal to \$22,560	5,640.00
	\$154,078.99½

The total amount therefore at the close of the last fiscal year 1st Nov. 1834 was the sum of one hundred and fifty four thousand and seventy eight dollars, ninety nine and one half cents. In addition to the Bank Stock mentioned above, as belonging to the President and Directors of the Literary Fund, they are entitled to the annual dividends of profit on seven hundred and four shares in the Bank of Cape Fear and on three hundred and fifty nine shares in the Bank of Newbern, the latter however have ceased to yield any profits and may be omitted in any future estimates. During the last year nothing has been paid to this fund from the stocks of any of the Navigation Companies included in the act of 1825. Its increase in the next year may be reasonably estimated as follows, to wit;

For entries of vacant lands.....	\$ 5,000	Estimated increase for next year.
Tavern and auction tax	2,800	
Bank dividends of profits	10,000	
Navigation Companies	500	
Total	\$18,300	

The receipts from entries of vacant lands may be expected to diminish, but it is believed that under the able management of the President and directors, the active capital of this corporation may enlarge at the rates of from \$15,000 to \$20,000 per annum.

2nd. Your Committee concur in the opinion of the President and directors, as expressed in their report of the last year, that the vacant swamp lands are conveyed to them by the act of 1825 in fee simple. As however they are only a quasi, and not a real corporation having no individual rights as corporators it is competent for the legislature to repeal the act creating them or any part of it. This has partially been done by the acts of 1826 and 1830, allowing entries of these swamp lands to be made in particular situations. But all not thus subject to entry are the undoubted property of the corporation and even those which may be entered, do not cease to be so, until an actual entry. It is possible that some portions of this extensive territory, embracing according to estimate, one million and a half of acres, belonging to the funds for common schools, might be as appropriately disposed of, by throwing it open to entry as by any other method. Being unable however from present information, to designate such parts they deem it more proper to authorize the President and directors to dispose of such portions as can be ascertained to be arable by sale, and they report the accompanying Bill for that purpose.

Swamp lands
belong to Literary
Board.

Number of acres
of swamp lands.

Your Committee have no means of certifying what portion of these lands are claimed by secret titles of individuals. This can be only partially ascertained by sur-

No appropriation
to drain swamp
lands; bill recom-
mended.

veys and examination of the register's books of the counties in which they are situate. Nor do they deem it advisable at present to make an appropriation to drain any portion of them, as they deem it highly important to be first informed not only as to the costs of draining, and the quantity of land to be reclaimed thereby, but whether the wealth of individuals or that of the fund for common schools would be most promoted by the particular works to be undertaken. By the passage of the Bill herewith reported it is believed that a large addition may be made to monies of this fund; which in the space of nine years have increased to such an amount, as by simple interest on its present principal, to afford salaries adequate to the support of at least one competent teacher in every county.

All of which is respectfully submitted.

WILL. A. GRAHAM, *Chm.*

Jan. 3rd. 1835.

Additional cash
to Literary Fund.

Since the completion of their report the Committee have learned that the cash on hand amounts now to \$24,000, which has been invested in 240 additional shares of stock in the Bank of the State of N. C.; the whole fund is therefore, \$178,078.99½.

Letter about cash.

Dear Sir,—Will you be good enough to append the above as a note to the report of the committee on Education, the fact was not learned until last night, the blank at the end of the note you can fill up by adding to the sum total, mentioned in the report, the difference between \$24,000 and the cash reported on hand.

Very respectfully, your obedt. servt.,

WILL. A. GRAHAM.

Col. White.

Literary Board
to sell lands.

A Bill to authorise the President and Directors of the Literary fund to sell certain portions of the swamp Lands.

Be it enacted by the General Assembly of the State of

North Carolina and it is hereby enacted by the authority of the same, That the Governor of this State, as President of the Literary Fund shall have full power and authority to appoint agents in any of the counties in which swamp lands, of the Literary Fund, are situated, to contract for and sell such parts of the said land, as the board may think it expedient, to bring into market, and that said agents may conduct such sales either by public auction or private contract, according to the direction of said President, nor shall any title be passed until a deed shall be executed by him, under the great seal of the State.

And be it further enacted, by the authority aforesaid, ^{Commission on sales.} that the said President and Directors of the Literary Fund, shall and may allow such commissions on the amount of sales or such other compensations to the agents aforesaid, as they may deem a fair equivalent.

In House of Commons Jan. 9, 1835. Engrossed and examined.

In Senate Jan. 9, 1835. Read the first time and on ^{Bill fails.} motion of Mr. Montgomery (of A) ordered to lie on the table.

—*Unpublished Legislative Documents, 1834.*

7. PROCEEDINGS OF LITERARY BOARD.

MONDAY January 13th 1834.

A meeting of the President and Directors of the Literary Fund was held at the Executive Office, at 7 O'clock P. M. Present,

Directors present. David L. Swain Govr. & Prest.
Chief Justice Ruffin
Mr. Speaker Moseley
———— Alexander
W. S. Mhoon, Pub. Treasurer.

Secretary. William R. Hill was on motion of Ch. Justice Ruffin appointed Secretary.

Public Library. The President submitted to the consideration of the Board the Acts of Assembly creating the Bank of the State of North Carolina, and the Resolution requesting the Board to take the necessary measures for the purchase, preservation and management of a Public Library for the State.

It was thereupon Resolved

Statement of fund
by treasurer.

That the Public Treasurer be requested to prepare and lay before the Board a detailed statement of the condition of the Fund, exhibiting the amount of cash now on hand, & the amount which will probably accrue in time to meet the payment of subscriptions to the Stock of the Bank of the State of North Carolina.

State bank stock
to be bought.

That the Public Treasurer be requested to subscribe in behalf of the Fund for such an amount of stock in said institution, as in his opinion may be done, without embarrassment to the Public Treasury; and that he avail himself if practicable, of the advantages secured by the charter to those stockholders who pay their subscriptions in advance.

Catalogue of books
for State Library.

It was further Resolved

That the President be requested to open a correspondence with such gentlemen at the north, as he may deem advis-

able, in order to procure catalogues of the best editions of the works proper to be placed in the State Library, and to ascertain the terms upon which they can be procured.

And then the Board adjourned subject to the call of the President.

SATURDAY August 9th 1834.

A meeting of the President & Directors of the Literary Fund was held at the Executive Office this day.

Present,

David L. Swain, Presdt.

Chief Justice Ruffin

& William S. Mhoon Pub. Treasr.

The following Resolutions were read and adopted.

Resolved, that the President have authority to draw for Library books. so much of the funds appropriated by Resolution of the General Assembly at the last Session for the purchase of a Library, as shall be sufficient to pay for the Books purchased for the State from Victor M. Murphy, whenever the same shall be valued by a Bookseller.

Resolved, further, that the President be also authorized to draw for the residue of said fund or any part thereof from time to time to pay for such Books as may be purchased through the agency of Messrs. Turner & Hughes & for the expenses of making the purchases & of transportation &c: and that he may advance thereout such sums, as he may think necessary, to Messrs. Turner & Hughes to make purchases with.

The Board then adjourned subject to the call of the President.

STATEMENT OF THE PUBLIC TREASURER.

In the year 1826, the unexpended balance of the annual appropriations for the increase of the Library was wholly appropriated. Since that period, the following Statement, exhibits the annual appropriations and expenditures.

Library appropriations not spent.	Year.	Expenditures.	Appropriations.
	1827	\$ 76.57	\$500.00
	1828	53.00	500.00
	1829	112.50	500.00
	1830	100.00	500.00
	1831	75.00	500.00
	1832	—	500.00
	1833	—	500.00
	1834	—	500.00
		\$417.00	\$4,000.00

—*MS. Records Literary Board.*

8. REPORT OF LITERARY BOARD.

REPORT.

To the General Assembly of the State of North Carolina.

The President and Directors of the Literary Fund, in obedience to the Act of Assembly requiring them to "cause to be kept by the Treasurer for the State, a regular account of all such sums of money as may belong to the said fund, of the manner in which the same has been applied and vested; and to make an annual report thereof to the Legislature, with such recommendations for the improvement of the same, as to them shall seem expedient," respectfully Report:

That the receipts at the Treasury, on account of the Literary Fund for the year ending on the first day of November, 1834, have been as follows, viz:

The balance of cash in the hands		Receipts of fund
of the Public Treasurer, as		for the year.
Treasurer of the Literary Fund,		
on the 31st Oct. 1833, as re-		
ported to the General Assembly		
of that year, was	\$117,024.81½	

The receipts at the Treasury of money belonging to the Fund for the last year, that is, from the 31st Oct. 1833, to the 1st. Nov. 1834, amount to twenty two thousand three hundred and seventy nine dollars & eighteen cents, (22,379.18) viz:

Cash received for entries of vacant	
land	\$5,499.36
Ditto sundry auctioneers tax on	
sales at auction	356.74
Ditto Sheriffs, for tax on Tavern	
licenses	2,417.08
Ditto State Bank of North Caro-	

	lina for dividends of profit on stock owned by the President & Directors of this Fund (Dec. 1833)	564.00
	Ditto Bank of Cape Fear, do. do. (June 1833)	150.00
	Ditto State Bank of North Caro- lina for dividends of Capital, (Feb 1834)	5,640.00
	Ditto ditto ditto (Sept. 1834)...	2,820.00
	Ditto Bank of New Bern, divi- dends of Capital (Jan. 1834)..	2,820.00
	Ditto Bank of Cape Fear, for divi- dends of profit appropriated to this fund (3 per cent on 704 shares, June 1834).....	2,112.00
		\$ 22,379.18
		\$139,403.99½
Expenditures and balance.	Deduct amount paid for 1200 shares in the Bank of the State of North Carolina	120,000.00
	Balance 1st November 1834.....	19,403.99½
Of the foregoing sum, one hundred and twenty thou- sand dollars (\$120,000) have been applied by the Treas- ury in payment for twelve hundred (1200) shares of stock, subscribed by him in the name of this Corporation in obedience to a resolution unanimously adopted by the President and Directors, on the 13th of January last.		
Small duties of the board.	The Legislature having at the last Session adopted no measure in relation to any of the objects contemplated in the creation of the Literary Fund, the duties of the Board have been since that period confined within narrow limits: —attention to its preservation, and gradual accumulation, by vesting it in productive stock.	

The Board have no recommendation to submit to the Legislature, with respect to the improvement of the fund, which has not been the subject of discussion, at previous Sessions. In the discharge of this portion of their duty, they beg leave respectfully to suggest that the various plans for the improvement of the Swamp Land, contained in the Reports of the Board for the years 1827 and 1833, should be either adopted or disapproved. If it shall be considered, that no attempt upon the part of the public, to reclaim them, is expedient, it would seem to be obviously proper to subject them to appropriation, under the entry laws, or sell them, in the manner that the Cherokee lands have been disposed of, to the highest bidder. The opinions of the Board upon the whole subject, are so fully stated, in the Reports referred to, that nothing more is considered necessary or proper upon their part to direct attention to them.

Ask attention to former recommendations about swamp lands.

A Resolution adopted at the last Session of the General Assembly, made it the duty of the President and Directors of the Literary Fund, to ascertain the amount of the various sums set apart for the purchase of a State Library, which remained unexpended, to appropriate the aggregate amount to the purchase of a library, and to have the arsenal prepared for its reception.

State Library.

The necessary attention has been given to the subject, and the Resolution complied with as nearly as was practicable. Immediately after the adjournment of the Legislature, the arsenal was examined, and was found to be in a condition that would have required the expenditure of a much larger sum, to have rendered it a proper place for the preservation of books, than was supposed to have been in the contemplation of the General Assembly: Under these circumstances the Board determined unanimously, that a catalogue of such works, as would constitute a suitable Library for the State should be prepared under the direction of the President, that immediate purchases

State Arsenal in no condition for Library.

Steps taken to get
books for Library.

should be made of a few rare works from the representatives of the late Judge Murphey, and that arrangements should be made with Messrs. Turner & Hughes, Booksellers of the City, to procure the rest of the books comprised in the Catalogue at as early a period, as a suitable Library room could be prepared in the new Capitol. The books purchased are deposited in the Executive office, and are subject to any arrangement, which may be prescribed as most convenient to the Legislature.

The want of a good Library, even for a single Session, will be seriously felt. The art of Book making is known, however, to be in a much more rapid state of improvement in every respect, than any other which has been attempted in this Country. The delay even of a year will enable the agents that have been selected for this purpose to procure better editions than can be had at present, at diminished prices. The few books that have been obtained, are valuable, and will doubtless afford the members of the Legislature much information on many of the important subjects which will engage their attention.

DAVID L. SWAIN, *President.*

—*Legislative Documents, 1834.*

9. McQUEEN'S EDUCATIONAL BILL.

A Bill to provide a fund for the establishment of free schools in the State of North Carolina. Clerk's entries on the original bill.

In Senate Dec. 20, 1834, read the first time and passed and on motion of Mr. Wilson¹ and ordered to be printed.

In Senate Dec. 31, 1834, taken up and on motion of Mr. McQueen ordered that the further consideration of the same be postponed until tomorrow.

In Senate, Jan. 5, 1835,—Read the second time, amended and on motion of Mr. Cooper² (of Martin) ordered to lie on the table.

¹ Jesse Wilson, Perquimans.

² Jesse Cooper, Martin.

Be it enacted by the General Assembly of the State of North Carolina and it is hereby enacted by the authority of the same, That the Justices of the different counties of the State, who may be appointed by the county court, to take the list of taxes in the different Captain's districts thereof, shall in addition to receiving the usual list of taxes required by law: require each free white person, who may either render a list of taxable property for himself or another person, to render the number of children between the ages of five and fifteen years embraced in his own family or in the family of such other person as he may render such list for, who can read, the number of children who can both read and write, and the number which have received no instruction whatever, also the number of such children aforesaid as have been sent to school, and the compensation received by their Teacher, and for what length of time.

2. Be it further enacted that it shall also be the duty of the magistrates who may be appointed to receive the list of taxable property in the different Captains districts, to make out a list of the school Houses occupied for the purpose of instruction in each Captains district, the number of pupils in each School House, the months of the year in which the School Houses have been usually occupied, the qualifications of the Teacher and the compensation he receives, so far as can be recollected.

Statistics to be sent the Governor.

3. Be it further enacted that it shall be the duty of the Magistrates aforesaid to deliver these lists to the Clerk of the County Court, who shall transmit the same legibly written out and regularly authenticated to the Executive of the State immediately preceding the meeting of the General Assembly of the State, each Magistrate who receives the usual list of taxable property shall for his additional labor in making out the list aforesaid, receive such compensation as the County Court may direct, to be paid out of the Treasury of the County and for omitting to take such list shall be subject to the penalty of ten dollars.— That each free white person aforesaid who may render a list of taxable property for himself or for another person and shall refuse in addition thereto to render the list heretofore required in this act shall be subject to a penalty of ten dollars and that any clerk of the County court who may fail to transmit such lists aforesaid as may be delivered to him by the Magistrates herein before mentioned shall be subject to a penalty of twenty-five dollars.

Penalty for failure to give information.

Clerks to report fines, etc.

4. Be it further enacted, That it shall hereafter be the duty of the Clerk of the Superior Court and of the County Courts in the respective counties within this State to make out a regular list of the fines and forfeitures, which have been incurred in the Courts of their respective Counties during the year one thousand eight hundred and thirty-four, the manner in which these fines and forfeitures have been usually applied, and how far they constitute a branch

of revenue essential to the maintenance of the County police.—That they shall receive for making out and transmitting it to the Governor of the State such compensation as the County Court may agree to be paid out of the Treasury of the County, and for omitting the performance of this duty, shall be subject to a penalty of twenty-five dollars.

5. Be it further enacted, That the clerks of the County Courts in the different Counties within the State, shall transmit to the executive of the State immediately preceding the next meeting of the Legislature of the same, the amount of compensation annually received by the County Trustee and the County Treasurer in their respective Counties, for the services they perform, and what those services have usually been—and within those counties in which these offices are still in existence it shall be the duty of the Clerk of the said Counties, to state in his communication to the executive on this subject whether or not these offices are absolutely essential to the just administration of the financial concerns of the Counties, and where the office of County Trustee and County Treasurer have been dispensed with in any of the Counties within the State, it shall be the duty of the Clerks of the said Counties to state to the executive for the information of the Legislature whether or not, the abolition of the said offices has proved a serious detriment to the official operations of the County—and that the said Clerks for making such communication to the Governor of the State shall receive such compensation as the County Court may direct and for omitting the same shall be subject to a penalty of twenty five dollars.

Salaries of the county trustees to be reported.

6. Be it further enacted, That it shall hereafter be obligatory on the Clerks of the Wardens of the Poor in the different Counties within this State; to make out a list stating the number of the Poor supported by their respective counties and the expense of supporting them during the year 1834—and shall in addition to this state

Expense of keeping poor to be reported.

whether they are supported by letting them out to individual bidders, or in a Poor House and the comparative expense of the two modes of supporting them, that this list shall be transmitted to the Executive of the State, and by him shall be transmitted to the next Legislature of the same—and that the said Clerks of the Wardens of the Poor shall receive for making this communication to the Executive such compensation as the County Court may direct and for omitting the same shall be subject to a penalty of ten dollars.

Laying off counties into departments with a view to location of public schools.

7. Be it further enacted, That the Magistrates in the different Counties of the State shall at the Court of Pleas and Quarter Sessions of their respective Counties which shall be held after the first day of March next, seven Justices being present, order the County surveyor to lay off the Counties aforesaid into departments not larger than ten miles square and not smaller than four miles square, respect always being had in laying off such departments to the wealth and density of the population embraced in the tracts of country in which such departments shall be made.

Three commissioners in each department to provide for the poor.

8. And be it further enacted, That in laying off these departments, respect shall always be had to the future location of Public Schools within them; and that the Justices of the County Courts in different Counties within this State, shall at the term of the said Court which shall be held within their respective Counties immediately after the first day of March next, seven Justices being present choose three commissioners for each department of the Poor in said Counties whose duty it shall be to take charge of the poor in their respective departments and parishes and to provide for every case of pauperism which may arise in their respective departments after the first day of May in the year one thousand eight hundred and thirty four.

Commissioners may impose tax for the poor.

9. Be it also enacted, That the said commissioners shall meet in their respective departments at least four times in

each year, and then if it shall be necessary impose on the inhabitants of their said departments a tax proportioned to the value of their land and slaves, which tax shall be sufficient for the support of every pauper which may be presented to the said commissioners in their respective departments after the first day of May next, as a fit subject of public charity and which shall continue to be assessed as aforesaid by the Commissioners until the pauper or paupers for whose support it may have been imposed shall die or be otherwise removed from the poor list, and that in addition to this such a tax as the commissioners of the poor may direct shall also be imposed on each free male in the said departments who own neither land nor slaves which sum so levied shall also be applied to the support of the poor of the department in which the assessment shall be made.

10. Be it further enacted that the aforesaid Commissioners shall at the usual meetings to be held in their respective departments, for the purpose of providing for the wants of the poor and inquiring into the condition of the same shall appoint a Clerk, whose duty it shall be to make an annual report of their proceedings to the Clerk of the County Court which shall be transmitted by him to the executive of the State for the information of the Legislature.

Proceedings of
commissioners to
be reported to the
Governor.

11. Be it further enacted, That the same sum which has been assessed for the support of the poor in the different counties of this State, for the year 1834 shall still continue to be assessed hereafter by the Justices of the County Court in like manner as it has hitherto been regardless of any diminution which may occur in the number of the poor on the poor lists of said counties produced either by deaths or removals from the said lists and shall continue to be applied to the support of such of the poor as may be found on the poor lists in the different counties aforesaid on the first day of May next agreeable to the ratios of

Same tax as now
levied for the poor
to be levied con-
tinually.

expense at which each pauper now on the poor list is supported.

Excess of poor fund due to death to go to Literary Fund.

12. Be it further enacted, That when any pauper who may be found on the poor lists in the different Counties in the State, on the first day of May, 1835 shall die or be removed from the poor list, the sum or sums which had been allotted for the support of said pauper or paupers under the assessment of 1834 for the support of the poor in the different counties within the State shall be considered a clear accession to the Literary Fund and shall be held by the Treasurer of the State for the use of the Literary Fund.

13. Be it further enacted, That when the paupers who may be found on the poor lists in the different Counties in this State shall die or be otherwise removed from the poor lists, the sum which was assessed in the year 1834, for the support of the poor in said counties and which shall be assessed annually hereafter by the justices of the Counties regardless of the diminution of the poor on the poor lists of said counties by deaths or otherwise shall be considered a clear annual accession to the Literary Fund of this State, and shall be subject to the demand of the Treasurer of the Literary Fund.

Fines under this act to go to Literary Fund.

14. Be it further enacted, that the penalties incurred in the violation of any of the duties set forth in any clause or clauses of this Act of Assembly may be recovered of the person or persons violating the provisions of the same by the Chairman of the County Court in either of the Counties of this State, who may direct the County Attorney of either of the said Counties to issue a Scire facias to any person who may appear to be a delinquent under this act of Assembly, to show cause why the forfeiture should not be incurred, and it shall be the duty of the County Attorney in the different Counties in the State to appear in behalf of the State whenever such process shall be instituted and shall receive for his services the sum of four dollars in every prosecution where the penalty shall be recovered.

15. Be it further enacted, That all penalties incurred in violation of any clause or clauses of the act of the General Assembly, shall be transmitted by the persons authorized to collect them to the Treasurer of the State, and shall be applied by him to the use of the Literary fund.

16. And be it further enacted, that when any citizen of this State shall hereafter die, having an estate in land, slaves, or personal estate of any description and without lineal representatives to inherit the same, the estate so left shall be subject to a tax of ten per centum which tax shall be deducted from the estate by the administrator or Executor of the deceased and by him shall be paid to the Treasurer of the Literary Fund¹.

A ten per cent tax
on certain estates
for the Literary
Fund.

¹ This bill was introduced by Hugh McQueen, of Chatham. It is printed in the laws of 1834-35.

10. THE STANDARD'S COMMENT ON McQUEEN'S BILL.

Praise for the bill.

Mr. McQueen, of Chatham, has presented a bill in the Senate, to create a fund for the establishment of Free Schools in this State. The object of this bill, is one to which we are entirely devoted, heart and hand; there is no measure of internal policy in North Carolina which, in our view, involves consequences so important to the future well-being and true glory of the State, as the education of every son and daughter within her borders; and we should most sincerely rejoice to see some plan devised to effect it. But we fear Mr. McQueen's *project* cannot succeed,—at this session, particularly; its details are too elaborate to be carried through at the heel of the session,—when, too, a party in the Legislature seems disposed to consume its entire sittings in profitless harangues.

Bill introduced too late.

—*Editorial, Raleigh Standard, Dec. 26, 1834.*

11. THE STAR ON FREE SCHOOLS.

Free Schools.—Several very interesting matters were presented to the consideration of the last Legislature, which, owing to a multiplicity of business and the crowded state of our columns, we were compelled to pass over with only a brief notice, with the intention, however, of recurring to them again so soon as our leisure and space would permit; and, in the prosecution of our design, we now proceed to offer a few reflections on one which is of the highest moment to the people of North Carolina. It is the bill, submitted by the Senator from Chatham, Mr. McQueen, proposing to provide a fund for the establishment of Free Schools in this State. This may be regarded as the most important measure, in many respects, which has ever been introduced to the attention of our Legislature; for it is, we believe, the first general system of the kind that has ever been reduced to a tangible form and acted on here. We have had, it is true, resolutions of inquiry again and again submitted to the Legislature on the subject; but this mode of inviting the attention of that body to the subject has uniformly failed to produce any substantial benefit; for where resolutions have been referred to Committees, instructing them to inquire into the expediency of doing thus and thus without submitting to them any digested plan to act upon, the result has been, with few exceptions, that they have reported against the measure submitted to them. But the bill alluded to, was so comprehensive in its character, as to bring up the whole subject of education to the attention of the Legislature. connected with a remedy for the growing wants of the people.

McQueen's bill one of the most important ever before Legislature.

The first clauses of the bill proposed to provide such statistical information as would conduct the General Assembly to a correct knowledge of the present literary wants of the people; and this is a species of information which

Statistical information.

Educational conditions never yet presented to the Legislature in such a way as to cause action.

Thinks Legislatures have not known the number of children living in ignorance is the reason they have never yet acted.

States which provide for reports on educational conditions.

Information about fines, salaries of county trustees, etc.

is most imperiously required by the State of North Carolina; for notwithstanding we are all duly sensible that the people of this State are greatly in the rear of the population of most States as it regards the facilities of intellectual improvement; yet the wants of the people, in this respect, have not been presented to the Legislature in such glaring relief as to arouse it to anything like a profitable course of action on the subject. Can it be presumed for a moment that the Legislature would have so long indulged in a profound and listless apathy on the subject of popular education, if it had been sensible of the number living in ignorance and dying in darkness—of the number annually perishing under the highest penalties of the law merely because they were not trained from early life in the way in which they should go—of the number disgraced by receiving what may be termed the milder punishments of the penal code, from a perfect ignorance of their duties—and of the still greater number who have been doomed to exist as miserable outcasts from the social circle, from the same cause? The States of New York, Massachusetts and Connecticut, have, by legislative enactment, made express provision for the attainment of yearly information, for the Legislatures, respecting the number of school houses in operation within those States, the number of pupils in each school, and the compensation of the teachers. This is a provision which exists, too, in communities in which the blessing of popular education is largely and liberally diffused. How much more urgently is such information demanded in a State like North Carolina, where no effective provision has been made for the wants of the people?

The next clauses of the bill introduced by Mr. McQueen, went to provide information for the Legislature respecting the amount of fines and forfeitures incurred in the Superior and County Courts in the different counties in the State, together with the manner in which they are usually appropriated, for the purpose of ascertaining whether or

not any part of this branch of the public revenue could be diverted from its present application, and turned to the support of free schools. Also to require of the Clerks of the County Courts to render to the Executive, for the information of the Legislature, the amount of compensation received by the officers of the different counties for extra services, and the annual salaries of the County Treasurer and County Trustees, in the different counties in this State, for the purpose of ascertaining whether these absorbents of the public funds could be safely and justly dispensed with, and the money consumed by them applied to the support of free schools. It is well known that many of our public officers, on offering their services to the public, profess their entire willingness to serve for the usual fees which are allowed by law, without any extra compensation; and it is well known that they could all live pretty comfortably without receiving compensation of this sort. If this be the case, we cannot divine what injury it would inflict on the public to seize a fund which is already drawn from the pockets of the people, and which answers no highly useful end, for the purpose of diffusing the blessings of education amongst the people of the country, which will augment our public strength and property, and enlarge the circle of our social enjoyments. It is also well known that the offices of County Treasurer and Trustee have been found to be merely sinecures in most counties and that they have been in many cases, dispensed with, on the ground that the Sheriffs could discharge all the duties performed by these officers, without conflicting with their other duties. If this be the case, it would seem right and proper these salaries should be applied to the support of popular education; and it would differ from ordinary taxation in this particular, that it would be taking a fund which is now easily spared by the people for one purpose, and applying it to an infinitely better purpose. It would be imposing no fresh tax upon the people.

Salaries of county trustees could properly be devoted to schools.

Change in the poor system.

The other provisions in the bill contemplate a thorough change in the poor system of the State. With this view, it proposes to make it the duty of the magistrates of the different counties to have the counties laid off into departments not larger than ten, nor smaller than four miles square, always having respect to the wealth and density of the population embraced in the respective tracts of country thus laid off. For each of these departments, a majority of the magistrates are required to appoint annually, three individuals to act as commissioners of the poor, who shall hold stated meetings for the purpose of inquiring into the condition of the poor within their respective districts, and be empowered to levy a tax on the inhabitants of the different districts, for the support of all subjects of public charity coming under their observation after the law shall go into operation. The poor, however, found on the poor list under the county assessment, are still to remain on the same list, and be supported after the usual mode, until removed by death or otherwise. But the bill provides that the same assessment should be annually made for the support of such poor as might be found on the poor list on the first day of May next, as was made in the year 1834, regardless of any diminution which might occur in the number of the poor on such list as aforesaid; and when any such pauper would die or otherwise be removed, his proportional share of the annual sum assessed for the support of the poor would become a clear accession to the Literary Fund; and when all who are now on the poor list, under the present assessment, shall have passed away, a sum equal to that which was assessed in the year 1834, would then become an annual fund for the support of free schools: That is, 1. Such poor as may be *hereafter* put upon the parish, shall be supported by a district tax. 2. Such poor as are *now* maintained by the county, shall continue to be provided for under the old system so long as they remain as a public charge. 3. The same sums which

Details of the poor system proposed.

were assessed by the different counties for the support of the poor within them, shall be annually assessed hereafter, notwithstanding the decrease and final extinction of the list. 4. When any pauper, who is supported under the present assessment, shall die, etc., his proportional share shall go as a contribution to the fund for the support of free schools. 5. When there shall no longer remain a pauper on the list under the existing system, the whole amount assessed for the support of the poor in 1834, shall continue to be assessed annually and applied exclusively to the support of free schools. 6. Each department laid off as above stated, to have a school located in it, to be supported in such way as the public authorities of the State may hereafter direct.

The last clause in the bill provides that the estates of all persons who may hereafter die in this State without lineal representatives to inherit their property, shall be taxed 10 per cent for the use of the Literary Fund.

There are many other details embraced in this bill. But we only take occasion to glance at its most prominent features, for the purpose of calling public attention to it; and we sincerely hope that the people will give the subject the most serious consideration, as we conceive it to be vitally connected with the best interests of North Carolina; and now that the Convention question, which has so long proved a bone of contention in the councils of the State, to the exclusion of calm deliberation on everything else, has been settled, we hope the Legislature will hereafter convene with the determination to erect, upon a firm basis, a system of popular education, which will enlighten our people and give durability and strength to our free institutions.

The late session was not very propitious to the fate of a measure so novel in its character, and so important in its principles. It came in after the political resolutions and the Convention bill, and of course had necessarily to give

Certain estates to be taxed.

Convention question settled; Legislature can now find time to consider plan for schools.

Bill ordered
printed in the laws.

place to them. But it was only lost in the Senate by a majority of 6 votes, after an explanation of its principles by Mr. McQueen, in a speech of about an hour's length; and immediately after the bill had been disposed of, the Senator from Burke, Mr. Carson, rose in his place, and moved that the bill be printed and appended to the Laws of the State, and that the remarks of the introducer of the bill be published along with it. The first part of the motion prevailed unanimously; but Mr. McQueen would not consent to the last. We hope, however, that he may yet be prevailed upon by the importance of the subject, to write out his remarks for the press, that the people may have the benefit of the useful information and cogent arguments which they contained. A stronger recommendation than the order taken upon the bill and remarks by the body to whom they were submitted, could not be given; for we believe it is the first time that either a *bill* or a *speech* received such a distinguished mark of approbation by our Legislature.

—*The Raleigh Star*, Jan. 22, 1835.

1835

1. THE NEW CONSTITUTION SHOULD PROVIDE FOR PUBLIC SCHOOLS.
2. GOV. SWAIN'S MESSAGE ON EDUCATION.
3. ASSEMBLY COMMITTEES ON EDUCATION.
4. REPORT OF LITERARY BOARD.
5. THE USE MADE OF LITERARY FUND 1835.
6. PROCEEDINGS OF LITERARY BOARD.
7. CHARTER FOR NORTH CAROLINA BIBLE SOCIETY REFUSED.

1. THE NEW CONSTITUTION SHOULD PROVIDE FOR PUBLIC SCHOOLS.

Does not believe the franchise should be further limited.

Mr. Editor: An important period in the history of our State is at hand. In the exercise of our legitimate rights, we are to determine whether a Convention shall be formed to amend our present Constitution. It is impossible that any reflecting mind can regard such an event with indifference. Several amendments were determined on by the last Legislature, as the basis of the call. Some of them are heartily concurred in; to one at least, I ventured to object, some time since, through the medium of the *Register*. The genius of our Government, as well as true policy, must ever frown indignantly upon any retrenchment of franchise.

Question of public schools so far neglected in discussion of constitutional changes needed; the lack of schools draining State of wealth and population.

My object, however, at this time, is not so much to repeat any disapproval of what has been done, as to again call the attention of the public mind to what has been omitted,—the importance of PUBLIC SCHOOLS. If we are to be preserved from the evils of anarchy, and the chains of Despotism, the means of general and wise information must be afforded without delay to the whole American people. The want of this, is daily draining our native State of its wealth and best population: and if the system of neglect is persisted in, it will eventuate in the destruction of our political and religious liberties.

Subject of schools should be discussed in election of delegates to the Convention.

Let, then, the subject of Public Schools be freely and dispassionately discussed during the ensuing canvass for representatives in the Convention. Let it be required of the successful candidates, when convened in solemn council, that the immediate organization of one or more of these Schools, to be established in each county of the State, constitute the first act of their deliberations, and presented in due form for ratification. Reflection and experience will prove, that such a measure is of more vital impor-

tance to the best interests of the State, than *equal* representation itself. We may talk and legislate our life-time, on the benefits of internal improvements, and the blessings of a representative government; but nothing can be permanently effected until the mass of our population have their minds so enlightened as to be able to perceive the importance of the one, and justly to appreciate the value of the other.

Believe me, your editorial labors cannot be better directed than in pressing this subject home to the hearts and judgments of your fellow citizens. Your aid is seriously invoked.

D —.

March 4th, 1835.

[We concur entirely in what our correspondent suggests above; and shall take great pleasure in lending our feeble aid in carrying out his enlightened views. As despotism is based upon ignorance, so liberty rests upon education and intelligence, as constituting the superstructure upon which the temple of freedom is erected. We conceive it to be the first and paramount duty of every statesman and patriot, to direct his efforts towards the universal diffusion of the blessings of education in our whole country: But, as it was the patriotic aspiration of Henry the 4th of France, that he might “see the day when every Frenchman would have a fowl to put in his pot,” so it is more especially our ardent desire to witness that glorious era when every son and daughter of suitable age in North Carolina, shall have the *spelling-book* placed in its hands, —and be taught, through its agency, an American’s duty to his God, his obligations to his country, and his rights and responsibilities as a Freeman. We hope our correspondent D——, having put his hands to the plow, will not turn back; but lend his efficient aid in the great cause to which he has so opportunely directed our attention. —Ed. Standard.]

Patriotic duty of the statesman to stand for the universal diffusion of knowledge.

—*Raleigh Standard*, March 13, 1835.

2. GOV. SWAIN'S MESSAGE ON EDUCATION.

Crops abundant
emigration still
large.

To much the larger portion of this State, the past year has been a season of more than ordinary prosperity. The production of articles necessary to the sustenance of human life, has been abundant and our great agricultural staple has commanded a higher price than has been known for many years. Our citizens, always distinguished for prudence and economy in the management of their domestic affairs, aided by the fortunate circumstances referred to, are at present probably less involved in pecuniary difficulties, than at any previous period of our history. Notwithstanding these clear evidences of the comparatively prosperous condition of the community, the tide of emigration continues to flow in a copious and steady current to the new States and Territories of the West, and we are thus losing many of our most wealthy, enterprising and intelligent citizens. It is not surprising that the universal and laudable disposition strikingly characteristic of the American people to acquire a permanent interest in the soil, should prompt removals from an old and densely populated country, to sparsely settled regions where good land may be acquired at low prices. That these causes have in many instances produced emigration from the State, is admitted; but we deceive ourselves, if we suppose that the evil is to be attributed to them alone. In general salubrity, variety of climate and consequent variety of productions, average fertility of soil, and wide extent of sea coast, North Carolina is scarcely exceeded by any of her sister States. Other causes, therefore, than natural disadvantages, have in a greater or less degree affected the growth and prosperity of the State. A very slight acquaintance with the facts, will suffice to show that a large proportion of the citizens who have removed from our borders within the last ten years, have contributed to aug-

ment the population and resources of States more densely peopled than our own. With regard then to the latter class, and to those who are liable to be influenced by similar considerations hereafter, it becomes important to inquire, what causes have produced the evil, in order that you may ascertain whether a remedy can be devised within the legitimate range of your powers.

When we consider that we have but a single collegiate institution in the State, but few respectable academies and that no adequate provision has been made to diffuse even the elementary principles of education among the poor; that there is not a single work of Internal Improvement in progress, and no fund that deserves the name provided for the future development of our resources, it ceases to be a matter of surprise that even our younger sisters munificently provided for in all these respects by the bounty of the general Government, should outstrip us in the generous contest for physical and intellectual improvement. It is but natural under such circumstances the young, the ardent and the enterprizing among our own citizens should sever the ties that bind them to their native homes, and seek for affluence and distinction under better auspices. It affords me no pleasure to present this picture of our condition. It would indeed be the source of extreme mortification if I regarded it as proceeding exclusively from our own supineness and neglect. That we have done less than we might and ought to have done for the accomplishment of these great purposes is in my estimation, certain; but that our exertions have been constantly retarded by the system of federal legislation adopted with regard to us is not less manifest. * * * *

Small provision for education; no internal improvements.

The injustice sustained in the settlement of our revolutionary claims, embarrassed our efforts towards improvement, at the period of all others the most important, the commencement of our political existence; and the tariff and land systems subsequently adopted, far from reliev-

Injustice done the State in her early history.

Why schools have
not been estab-
lished.

The State should
have her propor-
tion of the sales of
public lands.

ing, tended but to increase our difficulties. Thus stripped of resources, the history of our State legislation during the first half century of our political existence, will exhibit little more to posterity than the annual imposition of taxes amounting to less than a hundred thousand dollars, one-half of which constituted the reward of the legislative bodies by which they were levied, while the remainder was applied to sustain the train of officers who superintend the machinery of government. The establishment of schools for the convenient instruction of youth, and the development and improvement of our internal resources by means beyond the reach of individual enterprise, will seem scarcely to have been regarded as proper objects of legislative concern. * * *

With a Treasury barely sufficient to meet the current expenses of the Government, without resorting to loans, it would be idle to recommend the adoption of any measures connected with the general improvement of either the physical or intellectual resources of the country. My opinions on these subjects have been repeatedly communicated to the General Assembly, and are too well known to all classes of the Community, to justify repetition. To attempt to accomplish anything with regard to either, without first having provided a competent fund for the purpose, would have no other effect than to disappoint the excited hopes of the public and postpone further efforts to an indefinite period. A just proportion of the revenue, accruing from sales of public lands, would enable us to enter upon a system of measures which could not be otherwise than productive of the most auspicious results. Without it, judging from past experience, little expectation can be entertained that an adequate fund for the purpose will be provided by the government in time to meet the growing exigencies of the country.

—*House Journal, 1835, pp. 99, et seq.*

3. ASSEMBLY COMMITTEES ON EDUCATION.

Hugh McQueen, Chatham; John Gambill, Ashe; John Exum, Wayne; Geo. H. Alexander, Tyrrell; Wm. W. Cooper, Gates; Cornelius Dowd, Moore; Benjamin Sharpe, Edgecombe; Matthew R. Moore, Stokes.

—*Senate Journal*, 1835, p. 8.

John B. Muse, Pasquotank; Robert C. Bond, Halifax (town); Macon Moye, Pitt; James W. Howard, Jones; Simon G. Jeffreys, Franklin; Owen R. Kenan, Duplin; Peter R. Lilly, Montgomery; W. A. Graham, Hillsborough; L. A. Gwyn, Caswell; John Clement, Rowan; Michael Hoke, Lincoln; E. J. Erwin, Burke; Thos. L. Clingman, Surry.

—*House Journal*, 1835, p. 108.

[These committees made no reports on public education during the session.]

BN

4. REPORT OF LITERARY BOARD.

To the General Assembly of the State of North Carolina.

The President and Directors of the Literary Fund, in obedience to the act of the Assembly requiring them to cause to be kept by the Treasurer of the State, a regular account of all such sums of money as may belong to the said Fund: of the manner in which the same has been applied and vested; and to make an annual report thereof to the Legislature, with such recommendations for the improvement of the same, as to them shall seem expedient respectfully Report:

Receipts for the
year.

That the receipts at the Treasury on account of the Literary Fund for the year ending the first day of November 1835 have been as follows, viz:

The balance of cash in the hands of the Public Treasurer as Treasurer of the Literary Fund, on the 31st of October 1834, as reported to the General Assembly of that year was \$19,403.99½

The receipts at the Treasury Department of the money belonging to this fund, for the last year, that from the 31st of October 1834 to the 1st Nov. 1835, amount to twenty nine thousand six hundred and seventy dollars and seventy two cents (29,670.72) and consist of the following items viz Cash received from the Bank of Newbern for dividend of 10 per cent of the capital on 141 shares of stock owned by this fund, declared Aug. 1834\$ 1410.00
Ditto Bank of Cape Fear for dividend of 3½ per cent profit on 704

shares of stock appropriated to this fund declared in Jan. 1835..	2464.00
Ditto Bank of Cape Fear for divi- dend of $3\frac{1}{2}$ per cent on 50 shares of stock appropriated to this fund, and declared as above....	175.00
Ditto received from the Cape Fear Navigation Company for divi- dend No. 10 of 2 per cent de- clared May 28th 1831, received Jan. 1835	566.14
Ditto State Bank of North Carolina for dividends of 2 per cent profit on 282 shares of stock owned by this fund, declared November 1834	564.00
Ditto State Bank of North Caro- lina, for dividend of 8 per cent capital on 282 shares of stock owned by this fund, declared March 1835	2256.00
Ditto Bank of Newbern of divi- dend of 15 per cent capital on 141 shares of stock owned by this fund, declared April 1835.....	2115.00
Ditto Cape Fear Navigation Com- pany for dividend No. 11 on the shares owned by the State and appropriated to this fund.....	650.00
Ditto Bank of Cape Fear for divi- dend of 5 per cent profit on 704 shares of stock appropriated to this fund declared in May 1835	3520.00
Ditto Bank of Cape Fear for divi- dend of 5 per cent profit on 50	

shares of stock owned by this fund, declared as above	250.00
Ditto Bank of Cape Fear for dividend of 1 per cent on 704 shares of stock appropriated to this fund, declared in July 1835..	704.00
Ditto Bank of Cape Fear for dividend of 1 per cent on 50 shares of stock owned by this fund declared as above	\$50.00
Ditto Bank of the State of North Carolina, for interest on advance payments, made on 1200 shares of stock in said Bank subscribed for in behalf of this fund in May 1834	3106.86
Ditto Ditto for interest on advance payment of the 4th instalment on 240 shares of stock subscribed for in behalf of this fund in Jan. 1835	93.70
Ditto received from the Bank of the State of North Carolina, for dividend of $2\frac{1}{2}$ per cent on 1550 shares of stock owned by this fund, declared in June 1835	3875.00
Ditto Ditto for dividend of $2\frac{1}{2}$ per cent profit on 40 shares of stock owned by this fund subscribed 2nd Oct. 1835 declared as above	100.00
Ditto Ditto for dividend of $2\frac{1}{2}$ per cent profit on 76 shares of stock owned by this fund, subscribed 15th July 1835, declared in June 1835	190.00
Ditto for entries of vacant lands..	4541.30.

Ditto for sundry Auctioneers for tax on sales at auction	546.84
Ditto from Sheriffs for taxes on retailers of spirituous liquors..	2,492.88

Which added to the balance above stated	29,670.72
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makes the aggregate sum of	\$49,074.71
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The disbursements from the Literary Fund during the ^{Expenditures.} foregoing period, are as follows viz.

The sum paid Charles Dewey
Cashier of the Bank of the State
of North Carolina for 240 shares
of stock subscribed for on the 5th
Jan. 1835\$24,000.00

This sum paid do. for interest on
deferred payment of do. 398.47

This sum paid William R. Hill for
his services as Secretary to the
Board of Directors of the Liter-
ary Fund for the year ending
31st Decr. 1834 20.00

This sum paid Charles Dewey
Cashier of the Bank of the State,
for 110 shares of stock subscribed
May 4th, 1835 11,000.00

This sum paid ditto for interest
on deferred payment of ditto... 342.67

This sum paid ditto for 76 shares
of stock subscribed 15th July,
1835 7,600.00

This sum paid ditto for interest on
deferred payment of ditto..... 321.66

This sum paid ditto for 40 shares
of stock subscribed for on the 2nd
October 1835, 4,000.00

This sum paid ditto for interest on deferred payment of ditto..	224.83
Making an aggregate amount of..	\$47,907.63
Which deducted from the amount above stated, leaves a balance in the hands of the Public Treasurer as Treasurer of the Literary Fund on the 1st day of November 1835, of.....	1,167.08

Sources of increase The annexed table marked A. exhibits a statement of the several species of stock belonging to the Literary Fund, and of stocks the dividend of which were appropriated to it, by the act creating the corporation. The profit arising from the stock referred to, the tax accruing from sales at auction, the tax paid by retailers, of spirituous liquors, and sums paid for entries of vacant land, are at present the only source of accumulation. These may be estimated to produce during the next year, the sum of twenty thousand dollars, which under a standing Resolution of the Directors, will be vested in stock of the Bank of the State, at every period when the cash in the Treasury will be equal to the payment of ten shares. Small as these sources of revenue seem to be they are constantly increasing and if permitted to accumulate for a few years, will realize the liberal and extended views, of the enlightened statesmen to whom we are indebted for the foundation of this charity.

Swamp lands
unproductive.

The Swamp lands nominally the property of this Board, are entirely unproductive and must continue to be so, until the Legislature shall either determine upon permitting them to be improved by some of the means which have been suggested, in the various Reports heretofore submitted upon the subject, or dispose of them by sale or entry. If neglected many years longer, there is much reason to apprehend that these lands will be greatly diminished in value, from the trespasses daily committed upon them. They were originally covered with immense forests, of the

finest timber, now constantly becoming scarcer, and consequently of greater value, and no plan has yet been devised either to punish or prevent them.

The Resolution adopted by the General Assembly in 1833, directing the Board to purchase a Library for the State, has been partly complied with. In addition to the purchase of a portion of the Library of the late Judge Murphey as stated in the last Report, a few valuable books for the legislative department of the Library have been purchased through the agency of Turner & Hughes Booksellers of this City, and are deposited in the executive office, for the use of the members of the General Assembly. A good law library which besides being an indispensable part of a Public Library, was greatly needed by the Supreme Court, and will be a most important acquisition to the judicial branch of the Government, has been purchased under the direction of Judge Gaston in New York. The boxes containing these books were received a few days since but as there is no place provided for the preservation of the books under such circumstances as to admit of convenient reference, the boxes have not been opened. A complete catalogue of all the works purchased is in preparation but may not be completed in time to be submitted to you before your adjournment.

DAVID L. SWAIN, *President*.

A.

Shares of stock owned in the Bank of the State of		Resources of the fund.
North Carolina	1666	
Ditto, do stock owned in the Bank of Cape Fear..	50	
	1716	
Ditto do stock owned in he Bank of Newbern.	141	
Ditto do stock owned in the State Bank of North Carolina	282	
	423	

Shares of stock owned by the State in the Bank of Cape Fear the dividends of which are appropri- ated to the Literary Fund	704
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The State Bank of North Carolina has divided among their stock holders on each share of \$100	\$88
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The Bank of Newbern in like manner on each share of capital stock	\$70
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—*MS. Records Literary Board.*

5. THE USE MADE OF LITERARY FUND, 1835.

Total amount of cash in Treasury, 1st Jan., 1835	\$ 81,796.32	Statement of State revenue and expenditures.
To which add amount of members receipts...	5,285.00	
	\$ 87,081.32	

This amount transferred as above stated from William S. Mhoon to S. F. Patterson, is the only available fund now in the Treasury, but in the course of the fiscal year ending on the 31st of Oct. 1835 there will probably be received on account of taxes collected by Sheriffs			70,000.00
Dividends of capital in State Bank, 5 per cent on 3050 shares			15,250.00
Do. do. Bank of Newbern, 10 p. ct. 1959 shares			19,590.00
Do. of profits in Bank C. Fear, 7 p. ct. 2122 shares			15,854.00
Do. do. Bank of the State 2 p. ct. 1500 shares			3,000.00
Tax on stock owned by individuals in Bank of the State and Bank of Cape Fear.....			3,000.00
And from all other sources.....			7,224.68
			\$220,000.00

The demands on the Treasury during the same period may be ascertained as follows:

For the Legislature	\$40,000
Judiciary	20,000
Treasury	2,525
Comptroller	1,000
Secretary of State	1,200
Pensions	1,000
Adjutant General	200
Public Printer	900
Redemption of Treasury Notes	3,000

USE OF LITERARY FUND.

Contingencies	5,175	
State House	75,000	
		152,000.00
Amt. estimated to be in Treasury, 21st		
October 1835		68,000.00
Of this there will be due to the Liter-		
ary Fund	40,000	
To the fund for Internal Improvement	18,000	
		58,000.00
		\$10,000

Why it was neces-
sary to use the
fund.

When by the act of 1825, certain branches of the revenue were set apart to constitute the Literary Fund, no additional taxes were imposed, nor was any other source of revenue provided to supply the place of that which was then withdrawn from the Public Treasury. The State, at that time, was receiving considerable dividends on Bank stock, and had afloat 220,000 dollars of Treasury notes, which enabled the Government to get along very well for several years without the sums thus withdrawn. But when these sources of revenue failed, and the Treasury was called on to pay a large amount of Treasury notes, a resort to the Literary Fund became necessary to defray the expenses of the Government and to redeem the Treasury Notes presented for payment.

—*From Treasurer's Report, 1835.*

6. PROCEEDINGS OF LITERARY BOARD.

SATURDAY, January 3d, 1835.

A meeting of the President & Directors of the Literary Fund was held in the Executive Office this day.

Present

Directors present.

David L. Swain President,
Chief Justice Ruffin,
Treasurer Patterson
Mr. Speaker Moseley &
Mr. Speaker Alexander.

On motion of Chief Justice Ruffin the following Resolutions were unanimously adopted.

Whereas it is in their opinion the duty of this Board to invest the Literary Fund in stocks yielding interest as speedily as may be after monies belonging to said Fund may be received by the Treasurer, so that the same may accumulate and be improved for the State as much as possible; And whereas by an Act of the General Assembly passed in the year 1833 the Board is authorized and required to invest the said fund by subscribing for stock in the Bank of the State of North Carolina, then created; and a part of the stock reserved by the charter of said Bank to be taken for the State, yet remains unsubscribed for by the Public Treasurer in the name of the State or by him as the Treasurer of this Board on behalf of the State and a considerable sum of money, namely the sum of twenty four thousand dollars (\$24,000) or thereabouts, part of the Literary Fund, is now in the hands of the Treasurer unappropriated and lying in Bank in deposite & idle: Therefore

Resolution to
invest funds in
State Bank.

It is Resolved by the Board: First that the Treasurer be and he is hereby requested and directed to subscribe forthwith for as many shares in the said Bank as the said sum now in hand will pay for, on behalf and in the cor-

porate name of this Board: Secondly that as monies belonging to the said Fund arising from profits or dividends on Bank Stock, entries of lands or otherwise shall come into his hands hereafter, he shall whenever he shall have thereof as much as one thousand dollars, subscribe from time to time, for other shares in the said bank to the value and amount of the said sum or sums then held by him and forthwith pay for the same, until all the stock reserved to the State shall have been subscribed for on behalf of the State by him, either as Public Treasurer or as Treasurer of this Board or until the period within which such subscriptions may lawfully be made, shall have expired; and that he report to the Board from time to time, such subscriptions as he shall make under the authority hereof and also the number of shares owned by the Board and the State of the Fund generally:—

Compensation of
the Secretary.

Resolved that the Secretary be allowed the sum of twenty dollars for his services for the year ending on the 31st December last.

The Board then adjourned subject to the call of the President.

THURSDAY 19th March 1835.

A meeting of the President and Directors of the Literary Fund was held at the Executive office this day.

Members present;
new Secretary.

Present

Governor Swain

Chief Justice Ruffin,

Treasurer Patterson.

Mr. William R. Hill late Secretary of this Board having resigned his appointment, William T. Coleman was appointed Secretary in his stead and thereupon the Board adjourned subject to the call of the President.

DAVID L. SWAIN

S. F. PATTERSON.

Copy of a letter from the President of the Board to
Gavin Hogg, Esq.

RALEIGH, 10 Aug. 1835.

MY DEAR SIR: You are aware that I am anxious be-
fore I go out of office to lay the foundation of a respectable
library for the State, and more particularly for the Su-
preme Court. Mr. was kind enough a
short time since to open a correspondence for me on the
subject of a law library with Necklin and Johnston. He
submitted to them a catalogue of English Reporters and
requested them to inform me for what sum they could fill
it, either with English or American editions. I have re-
ceived a reply from them which does not communicate
the information which I desire. Many of the works they
inform me are not to be procured in Philadelphia and they
do not venture an estimate of the prices of such as can.
Under these circumstances will you do me the favour, to
apply to N. & J. for the catalogue, and select from it such
books as you may deem most important, and as can be
obtained for \$1250 or \$1500 and direct Mr. Turner who
will be instructed to call on you for this purpose to buy
them.

About Supreme
Court Library.

I wish you to understand that I have no disposition to
impose this task upon you, unless the state of your health
will admit of your entering upon it without pain or incon-
venience, and that it will, I wish you to be governed exclu-
sively by your own judgment whether to buy at all, what
to buy, and the particular edition to be selected.

Richard Phenev of London commenced some time since
the publication of a uniform edition of all the English
Reports, which from a specimen I have seen must be
greatly superior to any other. Whether the work is in
progress or has been abandoned, I have no satisfactory in-
formation. If any considerable portion of it has been
executed, I should prefer that arrangements should be
made at once to import it which can be done for the State

free of duty. If you determine to have a purchase made in Philadelphia which as I before said, I submit entirely to your discretion I will remit the necessary fund the moment I am notified of your disposition with respect to it. I do not of course propose to devolve upon you any other trouble than to *direct* Mr. Turner, in what manner he shall effect my intentions.

Your friend and Servt.

G. HOGG, Esq.

D. L. SWAIN.

RALEIGH 10th Aug., 1835.

Instruction to
Turner.

DEAR SIR: I have just written to Mr. Hogg now in Philadelphia on the subject of a law library for the Supreme Court. Messrs. Necklin and Johnston will inform you where he can be found. Do me the favour to be governed entirely by my letter to him, and the instructions he may give you with respect to a purchase. A draft will be transmitted to you at any moment that I may be advised that it is necessary.

Yours very respectfully,

MR. H. D. TURNER.

D. L. SWAIN.

Copy of a letter from the President of the Board to
Judge Gaston.

SALEM.

MY DEAR SIR:

(No letter in the Record Book.)

JUDGE GASTON'S REPLY.

NEW YORK, October 7th 1835.

Judge Gaston's
purchase of books
for library.

MY DEAR SIR: In pursuance of the instructions contained in your letter from Salem, I have purchased for a Library of the Supreme Court, law books from Messrs. Gould Banks & Co. to the amount of \$1361.75 cents. They will be forwarded by the earliest opportunity to Petersburg under the superintendence of Mr. James Donaldson Merchant of this City. There are some books which I wanted

and could not obtain here, which possibly I may obtain at Philadelphia. If I do you shall be advised of it. You will be pleased to forward the amount of the purchases from Gould Banks & Co. to them through Mr. Donaldson immediately. I think that I have bought on very fair terms, and recommend the house as one fit to be employed on future occasions.

I expect to leave this for the South on Wednesday the 14th inst. As I shall make some stay at Philadelphia and Washington, I shall not probably be at Raleigh before the 24th of the month.

I pray you to believe me, very truly

Your friend and obedt. Servt.

Governor SWAIN.

WILL. GASTON.

EXECUTIVE DEPARTMENT,

RALEIGH 20th Nov. 1835.

MY DEAR SIR: Allow me to ask that you will do me the favour to hand over to Gould Banks & Co. the enclosed Payment of Judge Gaston's bill for books. draft on the Bank of the United States, in payment of books purchased of them by my friend the Hon. William Gaston as agent of the State of North Carolina. My Absence from this City on a journey to the western section of the State undertaken on account of the serious indisposition of my youngest child is my apology for not having made this remittance at an earlier day. The draft is for thirteen hundred and sixty one dollars and seventy five cents, for which sum you will please direct them to transmit me a receipt.

I am very respectfully

Your Obt. Servt.

MR. JAMES DONALDSON.

D. L. SWAIN.

NEW YORK Oct 24th, 1835.

His Excellency

David L. Swain,

Raleigh, N. C.

Books shipped
from New York.

We have sent a Bill of Lading to James Donaldson, Esq. shipped to you *via* Petersburg, Va. care of Messrs. Kevan & Hamilton by packet Schr. Helen, three Boxes Books purchased from us by Judge Gaston, under your direction for the State of North Carolina, amt. of invoice \$1361.75, for which please forward your Draft.

We have sent a Bill of Lading to James Donaldson, Esq. Merchant of this City that he might have the books insured if instructions have been left with him so to do no such instructions having been given us, and they are considered at your risk.

The three Boxes will be found to contain all the Books in the Bill rendered Judge Gaston except volumes 1 & 2 Conway Reports which we are now reprinting and vol. 1 & 2 Masons Reports which are out of Print but if possible we will procure and forward them with the volumes of Cowans Reports in the course of two weeks.

We take the liberty to solicit your Excellency's order for supplying the continuation of such Reports as we have sold you, from time to time as they are Published and also what further additions to your State Library as may be needed. We remain with much respect

Your Excellencys Obt. Servants,

GOULD, BANKS & Co.

Per A. N. Bell.

NEW YORK, NOV. 25, 1835.

Receipt for pay-
ment for books.

\$1361.75. Received from the Hon. D. L. Swain a check on the Cashier of the office Bank of State payable to our order for thirteen hundred and sixty one dollars in full for Bill of Books purchased Oct. 12th last.

GOULD BANKS & Co.

—*Ms. Records Literary Board.*

7. CHARTER FOR NORTH CAROLINA BIBLE SOCIETY REFUSED.

Be it enacted by the General Assembly of the State of North Carolina and it is hereby enacted by the authority of the same, That the present and all future subscribers to an Institution established in the year 1813 in the City of Raleigh, for the gratuitous dissemination of the Holy Scriptures to the poor of this Country, and to the heathen, be and they are hereby incorporated by the name of and under the style of "The Bible Society of North Carolina," and by that name, and style, shall have perpetual succession, a common seal, and power to take and hold property real and personal, to any amount not exceeding in value at any time, the sum of three thousand dollars, over and besides their Bibles and Testaments, and to make conveyances for the same, for the benefit of the said Society, and by that name and style, may sue and be sued, implead and be impleaded, and they shall have power to make such by-laws for the good government and regulation of the said Institution, not contrary to the constitution and laws of this State, or the laws of the United States, as the members of the said Society, or a majority of them, may from time to time ordain and establish.

Society founded in 1813.

Asks to be allowed to hold property.

And be it further enacted, That the members of the said Society or so many of them as do attend shall be, and they are hereby empowered, on the third Monday in December next, and on the same day of the same month, in every year thereafter, at some place by them to be appointed, to elect so many managers of the said Institution, as they may find necessary and proper, to transact the business thereof, which managers shall continue in office, until the next annual election.

Election of officers.

And be it further enacted, That the managers aforesaid, shall have power to appoint a Treasurer from time to time with such tenure of Office, upon such conditions, and with

such power to collect, preserve and appropriate the funds belonging to the Society, as to the said managers shall seem proper, and if at any time, the said Treasurer shall fail, or refuse to account for, or pay to the said managers or order, any money in his hands belonging to said Society, to recover such money from him, by motion, upon ten days previous notice, before any court of record, having jurisdiction thereof.

Repeal of charter,
how done.

And be it further enacted, That it shall be lawful for the General Assembly, to repeal this Charter at any time they may think fit, and proper to do it, provided such repeal does not take effect until twelve months, after the ratification of the act which declares said repeal.

This act shall be in force from and after the ratification thereof.

Fails.

Engrossed and Examined.¹

In Senate, Jan. 8, 1835: Read the first time and ordered to lie on the table.

—*Legislative Documents, 1835.*

¹ This bill passed the House ; not considered by the Senate.

1836-37

1. GOV. SPAIGHT'S MESSAGE ON EDUCATION.
2. ASSEMBLY COMMITTEES ON EDUCATION.
3. DONALDSON ACADEMY ASKS STATE AID.
4. ASSEMBLY RESOLUTIONS ON EDUCATION.
5. LITERARY FUND: RECEIPTS.
6. LEGISLATION ON SWAMP LANDS AND LITERARY FUND.
7. PROCEEDINGS OF LITERARY BOARD.
8. CITIZENS OF FAYETTEVILLE ON ECONOMIC CONDITIONS.
9. RECEIPTS, DISPOSITION AND INVESTMENT OF THE SUR-
PLUS REVENUE.
10. EDUCATIONAL CONDITIONS 1836.
11. REPORT OF COMMITTEE ON SURPLUS REVENUE.

1. GOV. SPAIGHT'S MESSAGE ON EDUCATION.

Statement of the
amount of the
Literary Fund.

In conformity with the requisitions of the Constitution, the General Assembly in 1825, passed the Act creating the Literary Fund, and providing for its accumulation. That fund now consists of 1942 Shares in the Capital Stock of the Bank of the State of North Carolina, 50 shares of that of the Bank of Cape Fear, 141 Shares Bank of Newbern, and 283 Shares in the State Bank of North Carolina. The par value of the two first descriptions of Stock would be \$199,200; but as both of these Stocks are above par, selling at a premium, the first at a high one, their value may be fairly estimated at the sum of \$39,000 more, say \$238,200, which, with the cash on hand, amounting to \$3,845.09, makes \$242,045.09. The value of the two latter Stocks cannot be properly estimated, it depending upon what claims may still exist against these institutions.

A guarded sugges-
tion.

The advantages of education and the benefits resulting from its general diffusion among the people, it would be unnecessary for me to press upon the consideration of an enlightened legislature. It is for you to determine, whether in order to obtain the objects intended by the creation of the fund, at as early a period as practicable, without encroaching upon the principal, you will provide for its increase by the appropriation of other means. These suggestions are made that the matter may receive your mature deliberation, and the people experience those great benefits at an early day, which the wisdom of our fathers ordained they should enjoy.

—*House Journal*, 1836, p. 256.

2. ASSEMBLY COMMITTEES ON EDUCATION.

William D. Moseley, Lenoir; Matthew R. Moore, Senate.
Stokes; John C. Taylor, Granville; George F. Davidson,
Iredell; James Kerr, Caswell; H. G. Spruill, Washing-
ton, and Stephen Fox, Mecklenburg.

—*Senate Journal, 1836-37, p. 20.*

Mr. Moseley prayed to be excused from serving on the Mr. Moseley
excused.
Committee on Education and the Literary Fund, and he
was excused accordingly; whereupon, the Speaker an-
nounced that Mr. McCormick¹ is added to that Com-
mittee.

—*Senate Journal, 1836-37, p. 63.*

Thomas S. Hoskins, Chowan; Herod Faison, North- House.
ampton; James George, Edgecombe; Abner Neale, Craven;
Joseph M. Gillespie, Bladen; Robert B. Gilliam, Gran-
ville; Oliver K. Tuton, Robeson; William A. Graham,
Orange; L. A. Gwyn, Caswell; William D. Crawford,
Rowan; William S. Harris, Cabarrus; M. Patton, Bun-
combe; William Horton, Wilkes.

—*House Journal, 1836-37, p. 268.*

¹ Duncan McCormick, Cumberland.

3. DONALDSON ACADEMY ASKS STATE AID.

To the Hon. the General Assembly of North Carolina,

The Memorial of the Trustees of Donaldson Academy and Manual Labor School respectfully represents,

Incorporated in
1833.

That they were incorporated by an Act of the Legislature in 1833 and soon after entered upon the duties assigned them by the Charter. These duties, highly important in themselves and greatly enhanced by extraneous circumstances, were well calculated to excite interest in the execution.

\$14,000 subscribed
for school by indi-
viduals; \$10,000
realized.

Intended opera-
tions necessarily
limited.

To your Memorialists was committed the Guardianship of a High School of the first order, intended professedly for the whole community, of every order and condition, embracing a school untried in this region, to be made competent to meet the public expectation yet without public Patronage. Your Memorialists however, cast themselves upon the munificence of an enlightened community and obtained subscriptions to the amount of \$14000; from the avails of which a site was purchased on Hay Mount, a pleasant Hill overlooking the town of Fayetteville. On this site buildings have been erected and a school has been opened under the superintendence of an able, efficient and experienced Instructor and judging from an experiment of three years your Memorialists are satisfied that such an Institution was needed, and will, if properly sustained, become the means of much and lasting good to the community. Owing however, to the want of adequate funds, your Memorialists have been obliged to limit their operations, and if not aided beyond what they can expect from private liberality, they fear they will be compelled to relinquish some of the most important objects originally contemplated in the establishment of the institution. The amount which has been expended is \$10,000 and this sum is probably as much as will be realized from the subscription list. But the Institution is yet incomplete. Several

important Objects have not yet been attained, nor can they be, without further pecuniary aid. One of these objects is a department for Teachers in which, by a course of instruction adapted to their occupation, young men may be thoroughly prepared to become instructors. Such a department, your memorialists deem of primary importance in the cause of education in this State. The present time appears to be a crisis on which hangs the destiny of our Literature. The attention of the Public is extremely awake to the subject. There is an increasing demand for Schools and consequently for Teachers of an elevated character and of enlarged qualifications. Institutions for forming such teachers are essential because they cannot be prepared in sufficient numbers under private tuition and because at such institutions, beyond all question, a more thorough and appropriate preparation can be obtained. The success, indeed the very existence of Common Schools depends on the character of the Instructions given and this on the qualifications of the Teachers. Such qualifications can be well obtained only in institutions prepared for the purpose. Such Institutions, aiming peculiarly to promote the public good, stand in need of public patronage.

Teachers' department not yet established.

Another object contemplated in the charter granted by your Hon. body was an establishment where the students might devote a portion of their time to Labour, thus securing to themselves better health by exercise and diminishing at the same time the expense of education. As the region where the institution is located, does not admit of extensive agricultural operation, it was thought expedient that the students should direct their attention to Mechanical Pursuits. To this end some arrangements have been made and considerable has been done in the way of Labour, but it is ascertained that the expense of a suitable outfit, for a fair experiment in this department, is too great for the limited means possessed. Your Memorialists believe, however, that this appendage to the Institution, might be

Manual labor department incomplete in equipment.

made valuable, both as a means of promoting health and of diminishing the expenses of the Students, and they feel so confident of this, that they are resolved to test the theory by a fair experiment whenever they can be put in possession of the requisite funds.

Course in higher
branches of science
needed.

Another important object contemplated in the establishment of the Institution, was a department for the higher branches of science, where a suitable course of instruction might be given to such as could not afford the expense of a full collegiate course. The importance of a knowledge of science, when connected with Agriculture and the Mechanic Arts and as opening a wide field of observation and gratification to a contemplative mind is too obvious to need a particular discussion. No Education can be considered complete without some portion of this knowledge, and at this day when both agriculture and the Mechanic Arts, so essential to the prosperity of our Country, are beginning to be attended to on scientific principles, it is indispensable that every school of an elevated character, should be furnished with means for illustrating practically, or by experiment those principles, which must necessarily and so often be brought into operation in the business of life. With this view, your Memorialists have made arrangements to commence such a course of instruction, and have procured considerable apparatus for illustrating principles by experiments. In connection with what has been done, it is highly desirable that more apparatus be provided and that a cabinet be collected for illustrations in Natural History.

No equipment ;
need an engineer-
ing department.

Civil Engineering is another branch of Education, which at this time demands particular attention, and for which it is desirable that the Institution be more thoroughly furnished with the means of instruction.

Ask aid from
Literary Fund.

And now that your Memorialists may be able to carry into full execution the plan contemplated in the establishment of the Institution, they beg leave to present their

case before your honorable body and respectfully solicit your aid. Far be it from your Memorialists to dictate to your Hon. body what shall be done, but with all due deference, they would ask, in what way can a portion of the public fund be more advantageously appropriated to promote the general cause of education, or the particular success of common schools than in aiding an Institution whose objects are such as have been stated?

The Institution needs more apparatus for illustrating ^{Greatest needs summarized.} the principles of science, and for practical mathematics. A Library containing works of reference and a cabinet of Minerals and Geological specimens are also needed and are of high importance. Means ought also to be provided for supporting at least one permanent instructor independent of the income from tuition. These are the prominent wants of the Institution, and your Memorialists do pray that your honorable body will take the case into consideration and from funds in your possession or to come under your control, you will afford such pecuniary aid as may relieve them from all embarrassment, and enable them to extend their operations and thus raise up an institution, which will become a nursery for your University, a blessing to the Community, a monument to posterity of the zeal and wisdom of their fathers, and in all respects worthy of its patrons and of the State.

And your Memorialists will ever pray

By Order of the Board of Trustees,

BENJ. ROBINSON, *Pres.*

JAS. H. HOOPER, *Secy.*

Memorial in Senate.—In Senate 10 Decr. 1836 read ^{Referred to committee.} and referred to the committee on Education and the Literary fund.—

The committee on Education and the Literary fund, to ^{Senate report.} whom was referred, the Memorial of the Trustees of Donaldson Academy and Manual labor school, respectfully report—

Entitled to State aid.

Literary Fund should only be used to establish common schools.

System of schools feasible; the difficulties of sparse population and prejudices may be overcome.

Funds at present inadequate.

That they have given the subjects embraced in the prayer of the Memorialists, that attention which their high importance demands. Your committee are of the opinion that while the laudable, and patriotic objects of the memorialists, justly entitle them to the patronage of the Legislature, it would be impolitic with reference, to higher considerations of the interests of the State, to grant their prayer. Your committee would unanimously recommend to the Senate that so soon as the resources of the State will permit, a system of Education be established, from which the whole state may derive an equal benefit. They regard the improvement of the mind, as essentially connected with the character, and the usefulness of the citizen; and that every step which is therefore taken, to advance the rising generation in the scale of intelligence, is so much gained in the permanency of our institutions, and in the attainment of all the great ends for which government was instituted. Nor, in the opinion of your committee, is there anything as has been supposed in the condition, or the character of our population, and society which is repugnant to the successful operation of a system of common Schools. That a difficulty might at the commencement, be encountered, from the prejudices of the country upon the subject, and from the sparseness of our population, is readily admitted; that the opportunities which would be afforded to all, would not under any system be equally enjoyed by all, is also not denied. But a system established by the lights and experience of other states and governments, and adapted with an enlightened judgment to the peculiar condition of our slave holding community. would in the main be productive of more essential good than the expenditure of the same amount in any other manner. But the establishment of such a system would require a sum far beyond the present resources of the State; yet a judicious and prudent application of our present funds with an eye to their accumulation in connection

with the expectations of the state from other resources, create the hope that at no distant day education may be made accessible to every one, and its influences be felt by all. An appropriation in the present instance, would probably give rise to repeated applications for similar aid from other institutions in the State. If these applications should be rejected, it would produce dissatisfaction, and might be unjust. If granted, it would be to consume on partial objects, that treasure, which should be applied for the common benefit of the whole community. Your committee therefore recommend that the prayer of the Memorialists be rejected, and pray to be discharged from the further consideration of the subject.

Bad policy to loan
the Literary Fund.

Respectfully submitted

JNO. C. TAYLOR, *Chm.*

Clerk's entry on above report: In Senate 16 Jan 1837 read and concurred in.

—*Legislative Documents, 1836-37.*

Memorial in House.—In House of Commons, Dec. 12, 1836. Read and on motion of Mr. McNeill referred to the Committee on Education.

The Committee on Education to whom was referred the Memorial of the Trustees of the Donaldson Academy and Manual Labor School, have had the same under consideration and submit the following

REPORT

The Memorialists ask for an appropriation to purchase a philosophical apparatus, a cabinet of minerals, and a library for the use of the Institution over which they preside.

Your Committee believe that the literary fund cannot be properly applied to any other purpose than the establishment of free and common schools—and to appropriate

House report.

Literary Fund can
only be applied to
establishing com-
mon schools.

the whole or any part of it to the assistance of a seminary of learning, in the benefits of which the great body of the people cannot participate, would be in direct opposition to the objects for which that fund was established. The same assertion may be made of any increase which the Literary Fund may receive from the action of the present Legislature. If any substantial good is to result from the establishment of a system of Education, it must be by diffusing its benefits so that they shall reach every section of the State and be acceptable to every class of society. The Donaldson Academy is located in a populous town, already possessing many advantages for the instruction of youth. And to make that institution the special object of Legislative patronage would afford reasonable grounds of Complaint and be manifestly unjust to other portions of the State having an equal interest in the funds proposed to be appropriated, and whose wants present a much stronger claim to the consideration of the Legislature.

Your Committee return the Memorial to the House and ask to be discharged from the further consideration of the subject.

All of which is respectfully submitted,

ROB. GILLIAM, *Chm.*

—*Legislative Documents, 1836-37.*

4. ASSEMBLY RESOLUTIONS ON EDUCATION.

Tuesday, Dec. 6, 1836. Mr. Fox presented the following Resolution, viz.:

Resolved, That the Committee, to whom was referred so much of the Executive Message, as relates to the Surplus Revenue, that may be deposited in the State, be instructed to enquire into the expediency of providing, by law, for the distribution of the same, among the several counties of this State, according to population and taxation; to report by bill or otherwise.

Resolution to divide surplus revenue among the several counties.

Which was read, and, on motion of Mr. Edwards, ordered to lie upon the table.

—*Senate Journal, 1836-37, p. 48.*

Thursday, Dec. 23, 1836. Mr. Dockery presented the following Preamble and Resolutions, to wit:

Whereas, the Constitution of this State makes it the duty of the Legislature to establish Schools for the education of the people; and whereas, a faithful compliance with the said requisition of the Constitution, is calculated to perpetuate the blessings of a free government to posterity, since all such governments must mainly depend upon the intelligence and virtue of the mass of the people, who are the rightful source of all political power; and whereas, this state is about to receive a large amount of money from the Government of the United States, which will not, in all probability, be required for a great number of years, if ever, by the legitimate wants of said Government: Therefore,

Constitution requires the establishment of schools.

Surplus revenue to be added to Literary Fund.

Resolved, That the joint select Committee on the surplus Revenue, be instructed to enquire into the expediency of adding thousand dollars to the Literary Fund.

Revenue of Literary Fund to be distributed to the counties on basis of Federal population, to educate indigent children.

Resolved, That they be further instructed to enquire into the expediency of distributing the interest of said

fund among the several counties of this State, in proportion to their federal population, to be applied to the purposes of educating the indigent youth of the State; and that they have leave to report by bill or otherwise.

Which were read and referred to the Committee on Surplus Revenue.

—*Senate Journal, 1836-37, p. 110 and 111.*

Saturday, January 7, 1837. On motion of Mr. Gilliam,

Resolution on
establishing free
schools.

Resolved, That the Committee on Education be instructed to enquire into the expediency of establishing a general system of Free Schools throughout the State.

—*House Journal, 1836-37, p. 436.*

Friday, Jan. 20, 1837. Received from the House of Commons the following Resolution, in which they ask the concurrence of the Senate, to wit:

Literary Board to
digest a plan of
schools for next
Assembly.

Resolved, by the General Assembly, that the President and Directors of the Literary Fund of North Carolina be instructed to digest a plan for Common Schools, suited to the condition and resources of this State, and report the same to the next General Assembly.¹

Which was read and adopted, and ordered to be enrolled.

—*Senate Journal, 1836-37, p. 229.*

Also see House Journal, 1836-37, p. 500.

¹ This resolution was introduced in House by Robert B. Gilliam.

5. LITERARY FUND: RECEIPTS.

The balance of cash in the hands of the Public Treasurer, as Treasurer of the Literary Fund, on the 31st of Oct. 1835, as reported to the General Assembly of that year was 1,167.08

The receipts at the Treasury Department of money belonging to this fund, for the last year, that is, from the 31st of Oct. 1835, to the 1st Nov. 1836, amount to \$32,642.71 and consist of the following items, viz:

Cash received from sundry auctioneers, for tax on sales at auction	1,159.06
Do received for entries of vacant land.....	5,682.71
Do received from the Roanoke Navigation Company, for dividend of $1\frac{3}{4}$ per cent. on 500 shares of stock appropriated to this fund, declared in Nov. 1833.....	875.00
Do. from do. for dividend of 1 per cent on same shares, declared in Nov. 1834.....	500.00
Do received from the bank of the State of North Carolina, for dividend No. 1 of $2\frac{1}{2}$ per cent on 34 shares of stock subscribed 24th Nov. 1835.....	85.00
Do. received from ditto, for dividend No. 2 of 4 per cent. on 1700 shares of stock owned by this fund, declared Dec. 1835.....	6,800.00
Do. received from ditto, for dividend No. 1 of $2\frac{1}{2}$ per cent. on 100 shares subscribed 6th January, 1836.....	250.00
Do. received from ditto, for dividend No. 2 of 4 per cent. on the same shares subscribed as above.....	400.00
Do. received from ditto, for dividends Nos. 1 and 2 on 40 shares of stock, subscribed 1st Feb. 1836.....	260.00

Do. received from Bank of Cape Fear, for dividend of $3\frac{1}{2}$ per cent. on 704 shares of stock appropriated to this fund, declared 1st Jan. 1836.....	2,464.00
Do. received from do. for dividend of $3\frac{1}{2}$ per cent. on 50 shares of stock owned by this fund, declared as above.....	175.00
Do. received from do. for dividend of 4 per cent. on 704 shares of stock appropriated to this fund, declared in June 1836.....	2,816.00
Do. received from ditto for dividend of 4 per cent. on 50 shares of stock owned by this fund, declared as above.....	200.00
Do. received from the Bank of Newbern, for dividend of 7 per cent. capital on 141 shares of stock owned by this fund, declared January 4, 1836.....	987.00
Do. received from the Bank of the State for dividends Nos. 1, 2 and 3 on 66 shares subscribed on behalf of this fund 5th of July, 1836.....	643.50
Do. received from do. for dividends Nos. 1, 2 and 3 on 36 shares, subscribed in behalf of this fund July 11th, 1836.....	351.00
Do. received from the Cape Fear Navigation Company, being a part of dividends Nos. 12, 13 and 14 of 650 dollars each, declared by said Company as per account rendered..	417.22
Do. received from Sheriffs for tax on retailers of spirituous liquors.....	2,597.22
Ditto received from the Bank of the State of N. C. for dividend of $3\frac{1}{4}$ per cent. on 1840 shares owned by this fund, declared in June, 1836.....	5,980.00
	\$32,642.71

Which added to the balance above stated,
 makes the aggregate sum of..... 33,809.79
 The disbursements from the Literary Fund,
 during the foregoing period, are..... 29,964.70 Disbursements.

Balance in the hands of the Public Treasurer,
 as Treasurer of the Literary Fund, on
 1st day of Nov. 1836, of..... \$3,845.09

—*From Treasurer's Report, made to Legislature, Nov.
 21, 1836.*

6. LEGISLATION ON SWAMP LANDS AND LITERARY FUND.

An Act to drain the swamp lands of this State, and to create a fund for Common Schools.

Board of Literature
incorporated.

Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That there shall be a Board of literature in this State, to be denominated and called by the name of "The President and Directors of the Literary Fund of North Carolina;" and by that name they are incorporated into a body politic and corporate, and shall be capable of suing in any court of record in this State.

Board to consist of
Governor and
three others.

Sec. 2. That the Governor of this State, by virtue of his office, shall be the president of the said board; and there shall be three other members of the said board biennially nominated and appointed as such by the Governor of the State under and with the advice of the Council; but in case a vacancy occurs, the same shall be filled by the other members of the board.

Swamp lands
vested in Board.

Sec. 3. That all the swamp lands of this State, not heretofore duly entered and granted to individuals, shall be vested in the said corporation and successors, in trust, as a public fund for education and the establishment of common schools

Bank stock
vested in Board.

Sec. 4. That in addition to the said lands, the following property and funds shall be vested in said corporation and their successors in trust, as aforesaid, to wit: all the shares of stock owned by the State in the Bank of the State of North Carolina, excepting one thousand shares of stock now held in said bank in the name of the president and directors of the Literary Fund, making, in all, five thousand shares; and also five thousand shares of stock in the capital of the Bank of Cape Fear, and the profits and dividends arising from said stock; which profits shall be re-invested by the said president and directors from time to time as they accrue, for the use of said

fund, as they may judge best; subject, however at all times, to the direction and control of the General Assembly.

Sec. 5. That the said president and directors of the literary fund, shall be and they are hereby invested with full power and authority to adopt all necessary ways and means for causing so much of the swamp lands aforesaid to be surveyed, to contract with one or more persons to construct canals, ditches and other works necessary for the purpose of reclaiming said lands, upon such terms and conditions as may be prescribed by the said corporation; the contractor or contractors in each case, giving bond and security for the faithful performance of the agreement.

Complete control
and management
of swamp lands;
details.

Sec. 6. Whenever it shall be necessary to construct any of the works of said corporation on the lands of any individual proprietor, the written consent, of such proprietor, without any formal deed of conveyance for the lands necessary to the work, and its future unrestricted enjoyment, shall vest the title thereof in the said corporation forever; and when any infant or person non compos mentis, or feme covert, shall be owner thereof, the guardian of such infant or person non compos mentis, shall be, and he is hereby authorized to give such consent; and the feme covert, with her husband may do so, without any separate examination; and the consent so given, shall, in either case, be good and valid to all intents and purposes.

Sec. 7. That whenever the consent of the proprietor aforesaid shall be withheld or refused, it shall be lawful for the said corporation, or their agents to enter on the said lands, and lay off so much of the same as may be necessary to be used in said work, the value of which shall be assessed to the proprietor according to the law of the land; and upon the payment, thereof, the title of said land shall be vested in the said corporation forever: PROVIDED, that in the assessment of such valuation, the benefit that will accrue to the proprietor by reason of said im-

provement, may be likewise reckoned and set off against the said damages.

Sec. 8. That when there are lands owned by individuals, which can be reclaimed by reason of the canals, ditches or other works of the said corporation, the said lands owned by said individuals shall be assessed to contribute an equitable proportion of the costs of said works; which assessment shall be made by the said president and directors, or by a board of commissioners appointed by them; and the assessment so made shall be charged on said lands: PROVIDED, HOWEVER, that the said corporation may, by contract with individual proprietors, agree upon the said assessment, and accept payment thereof in labor or money.

Sec. 9. The said president and directors shall have power and authority to appoint an engineer and surveyor and other servants, under them to plan the works herein contemplated, upon the most reasonable terms they can be procured; and they may enact all necessary rules and regulations for surveying and reclaiming the swamp lands of this State, or in any of them; for assessing the lands of individuals, which may be improved by the works; and for collecting said assessments and the assessments so made shall be published weekly, for five weeks in one of the newspapers published in Raleigh, and also filed in the office of the Clerk of the Superior Court where the lands assessed are situate; and if no objections are filed at the court next after such advertisement the said assessments shall be confirmed by the Court, and the lands adjudged liable for the amount, and execution may be issued for the execution of said lands, to satisfy the same on motion to the court for that purpose: and if any reasons be shown against the said assessments, they shall be heard and determined by the said court. And the said assessments shall be increased or diminished as the court shall adjudge is right.

Sec. 10. The said corporation and their officers or agents shall have a right to enter upon the lands of all and whomsoever, for the purpose of surveying; and all the grants and deeds for swamp lands heretofore made, shall be proved and registered in the county where such lands are situate, within twelve months; and every such grant or deed not being so registered within the time aforesaid, shall be utterly void and of no effect, and the title of the proprietor in said lands shall revert to the State of North Carolina.

Sec. 11. That the said corporation may sell and convey any part of the lands, which may be reclaimed for the best price which can be obtained for the same; and the title of the purchaser or the purchasers, shall be good and valid in law and equity. But the corporation shall not sell any canal by them constructed under this act.

Sec. 12. That the corporation aforesaid, shall not expend any part of the moneys and stock herein before vested in them for the purpose of reclaiming the said lands.

Sec. 13. That two hundred thousand dollars shall be ^{\$200,000 to be used in reclaiming lands.} and is hereby appropriated to the use of the said president and directors; and they have power to expend so much thereof, in reclaiming the swamp lands, as can be beneficially applied to that object; and if the same shall not be immediately required, the said president and directors shall have power to loan the same, on short credit and good security, or to deposit it with a bank or banks, at a reasonable rate of interest, as they see fit, until it is required for the work herein provided for.

Sec. 14. That besides the powers herein before given, ^{Powers of the Board.} the said president and directors are invested with all the rights and powers heretofore belonging to the president and directors of the literary fund of this State; and also with all powers and authority necessary and proper for reclaiming the swamp lands of this State, and for obliging the owners of any part to bear an equitable share of the

expenses, whenever such owners are benefitted by the work of the company.

Ratified 20th of January, 1837.

—*Laws 1836-7, Chap. XXIII.*

Supplementary act

An Act to repeal so much of the act, passed during the present session, entitled “an act to establish a fund for Internal Improvement, and to create a board for the management thereof,” as is consistent with an act passed at the same session, entitled, “an act to aid the Internal Improvements of this State,” and also to repeal so much of the act passed during the present session, entitled, “an act to create a fund for the establishment of common schools,” as is inconsistent with another act, passed during the same session, entitled, “an act to drain the swamp lands of this State and to create a fund for common schools.”

Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That so much of the act passed during the present session, entitled, “an act to establish a fund for Internal Improvement, and to create a board for the management thereof,” as is inconsistent with an act, passed at the same session entitled, “an act to aid the Internal Improvement of the State;” and also so much of the act, passed during this session, entitled, “an act to create a fund for the establishment of common schools,” as is consistent with another act, passed during the same session entitled, “an act to drain the swamp lands of this State, and to create a fund for Common Schools,” be, and the same are hereby repealed.

Pay of members of
the Literary Board.

Sec. 2. Be it further enacted, That the persons composing the Literary Board, created under an act, entitled, “an act to create a fund for the establishment of common schools,” shall be entitled to receive the same pay, and

under the same regulations, as persons composing the board created under an act entitled "an act to aid the Internal Improvements of the State."

Sec. 3. Be it further enacted, That if the stock holders in the Cape Fear Bank shall fail to accept the amendment of their charter, which is made by an act of the present General Assembly, so that the funds of the State cannot be invested in the stock of said bank as by said act is directed, it shall be the duty of the president and directors of the literary fund to loan out the sum so directed to be invested and added to the Literary Fund, or otherwise to secure and manage the same, so as to cause said fund to accumulate as rapidly as possible.

Management of
Literary Fund.

Sec. 4. This act shall be in force from and after its ratification.

Ratified 23d January, 1837.

—*Laws 1836-7, Chap. XXIV.*

An Act to receive the proportion of the Surplus Revenue to which the State of North Carolina is entitled, under the act of Congress to regulate the deposits of the public moneys.

Surplus revenue
act.

Whereas, by an act passed at the last session of Congress it was directed that the money which shall be in the Treasury of the United States on the first day of January, eighteen hundred and thirty-seven, reserving the sum of five millions of dollars, shall be deposited with such of the several States of this Union, in proportion to their respective representation in the Senate and House of Representatives in the United States, as, shall, by law, authorize their Treasurer, or the competent authorities to receive the same, on the terms specified in said act:

Be it therefore enacted by the General Assembly of this State and it is hereby enacted by the authority of the

Revenue accepted;
details.

same, That the proportion of the surplus revenue which is allotted to the State of North Carolina, by an act of Congress passed at the last session, entitled, "an act to regulate the deposits of the public money," be, and the same is hereby accepted, by and in behalf of the said State.

Sec. 2. Be it further enacted that the Governor of this State, immediately after the passage of this act, notify the Secretary of the Treasury of the United States of the acceptance, by the State of such proportion of the surplus revenue to which it is entitled, according to the provisions of the act aforesaid.

Sec. 3. Be it further enacted, That the Public Treasurer of this State is hereby authorized, empowered and directed to execute in behalf of this State, such certificates of deposit for said money, pledging the faith of the State for safe keeping, and for the payment of the same, as may be prescribed by the Secretary of the Treasury of the United States, according to the provisions of the said act of Congress.

Sec. 4. Be it further enacted, That the Public Treasurer is hereby authorized and empowered to receive of the Secretary aforesaid, or his agent or agents, such portions of the public money to which the State is entitled aforesaid. and to execute such acquittances and acknowledgments for the same in behalf of the State, as may be prescribed or required, according to the provisions of the act of Congress aforesaid; and when said money shall be received by the Public Treasurer he shall deposit the same for safe keeping in the banks of this State, as a separate and distinct fund from the revenues of this State, and not subject to draft except by special order of the General Assembly, or unless the safety of the same shall require it, which shall be determined by the Governor, who may order it to be withdrawn.

Sec. 5. Be it further enacted, That this act shall take effect and be in force from and after its ratification.

Ratified 11th January, 1837.

—*Laws, 1836-7, Chap. LI.*

An Act to provide for the redemption of the script issued by this State, under the act of the General Assembly, passed in the year one thousand eight hundred and thirty-five, and entitled "an act to provide for the payment of instalments on the shares reserved to the State in the capital stock of the Bank of the State of North Carolina." Redemption of script; details.

Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same That the Public Treasurer is hereby empowered and directed to negotiate with the trustees of the University of this State, for the purchasing of the script issued by the State, and now held by the trustees of said University, amounting to one hundred thousand dollars principal; and to effect such purchase, the Treasurer aforesaid, in the name of and on behalf of the State, is hereby directed to transfer in lieu of said scrip one thousand shares of the capital stock of the bank of the State of North Carolina, now held and owned by the State in said bank.

Sec. 2. The Governor is hereby empowered and directed to appoint an agent, whose duty it shall be to purchase it, if practicable, the scrip issued by the State and sold to the Secretary of the Treasury of the United States for the use of the Cherokee Indians, amounting to three hundred thousand dollars; and to effect such purchase, the Governor is authorized to draw on any bank or banks of the State, having in it or their possession, any part of the surplus revenue of the United States, which has been or may be deposited with this State, under an act of the twenty fourth Congress, passed at its first session, entitled, "an act to regulate

the deposits of the public money," for a sum not exceeding three hundred thousand dollars, with which said sum the agent aforesaid may purchase the said scrip directly, or purchase other stocks, and transfer the same to the holder of said scrip in lieu thereof, as shall be agreed on between said agent and holder of said scrip.

Sec. 3. Said scrip when purchased in, under either of the foregoing sections, shall not be cancelled nor be deemed in anywise to be extinguished by such purchase but shall be deposited in the Public Treasury of the State, and shall not be re-issued, except in case of a call by the Federal Government on the State for the surplus revenues deposited with this State, under the before recited act of Congress, and re-issued then only by resolution of the General Assembly.

Sec. 4. The expenses of said agent, and such compensation for his services in the performance of the duties herein prescribed, as the Governor shall deem reasonable and proper, shall be paid him by the Treasurer on the warrant of the Governor.

Sec. 5. This act shall be in force from the passage thereof.

(Ratified 21st January, 1837.)

—*Laws 1836-7, Chap. LII.*

7. PROCEEDINGS OF LITERARY BOARD.

RALEIGH, N. C., March 4, A. D. 1837.

The Board of the Literary Fund met at the Executive Office, present his Excellency Gov. Dudley Prest. First meeting under law of 1836-7; two hundred shares of bank stock bought. ex officio, Charles Manly and David W. Stone, Esqrs. when it was resolved that two hundred shares of stock should be subscribed for in the stock of the Bank of Cape Fear when the books for the same are opened for the new stock in the said Bank and that \$26,900 of the monies now belonging to the literary fund now on deposit in the Bank of the State and Cape Fear, should be paid on the first instalment on the surplus of which over the first instalment interest would be allowed as an advance payment.

It was also resolved that the Secretary of this Board be Blank books. directed to purchase a good blank book well bound for the purpose of keeping a record of the proceedings and doings of this Board. No further business being before the Board it adjourned to meet again on Monday the 13th of March at the Executive Office.

C. C. BATTLE, Secty.

RALEIGH, N. CA.,
EXECUTIVE OFFICE, 13 March, 1837.

The literary Board met pursuant to adjournment. Present His Excellency Gov. Dudley, Prest. ex officio, Charles Manly and D. W. Stone, Esquires. The act ratified in General Assembly 18th Jan'y last, to provide for draining Mattimuskeet Lake, having been submitted to the Board, it is therefore Resolved That the act of the General Assembly entitled "an act to drain the swamp lands of this State and to create a fund for common schools" ratified on 20th January last has in the opinion of this board repealed and superseded the said act first referred to. Act about Mattamuskeet Lake.

Resolved That this Board will take immediate steps to Engineer to be employed.

employ a suitable engineer in conformity with the powers under the act and that the Prest. of the Board be requested to make advertisement in the *Raleigh Register* and *North Carolina Standard* published in this City—the *National Intelligencer* and *New York Evening Star* weekly for six weeks.

Secretary.

Resolved that Christopher C Battle be and he is hereby appointed Secretary of this Board and that he be allowed a compensation at the rate of three dollars per diem for each and every day he may be employed provided that the whole of his compensation shall not exceed \$500 per annum.

Literary Board
laws to be codified.

Resolved that all the laws and acts of the General Assembly in relation to the powers and authority of this Board be collected and transcribed by the Secretary in the first part of the Book in which the proceedings of this Board are to be kept.

The Board adjourned until tomorrow 10 o'clock.

RALEIGH, NORTH CAROLINA.

EXECUTIVE OFFICE, March 14, '37.

The Board met according to adjournment. Present His Excellency Gov. Dudley, Prest. ex officio, Charles Manly and D. W. Stone, Esquires. In obedience to the resolution of the last meeting the President of the Board submitted the following:

NOTICE.

Advertisement for
an engineer.

Pursuant to an order of the President and Directors of the Literary fund of North Carolina, a competent engineer to superintend the draining of the swamp lands of the State will be employed. Applications with satisfactory references are requested as early as possible. Which was accepted by the Board and immediately sent to the *Standard* Office for publication.

Titles to swamp
lands.

Resolved That the Secretary be directed to examine whether any law has been passed since the session of 1826 instituting a commission in each of the counties in which

the Swamp Lands lie before whom the owners of low lands shall substantiate their titles and report the result of his examination to this Board at the next meeting.

Resolved. That the President of the Board address a communication to the President of the Bank of the State and the President of the Bank of Cape Fear and inquire whether said Banks or either of them will receive the funds of this Board at interest on deposit and at what rate. The Board agreeing to give thirty days notice to the Bank of all sums to be drawn for or over \$10,000 and all drafts of \$5,000 and under to be paid at sight.

The Secretary was directed to copy in the front of this Book the following acts. (viz.)

To drain the Low Lands.

The original act creating a fund for common schools and establishing the President and Directors of the Literary Fund. The act for draining Mattimuskeet Lake. The act for draining swamp lands passed in 1836-7. The supplement thereto.

The Board then examined the report of former commissioners took a general survey of the lakes, the topography of the country around them and the improvements they had already undergone by means of charts, maps and other drawings relating to the subject under consideration. The Board then adjourned to meet at the summons of the President.

CHRISTOPHER C. BATTLE, Secretary.

EXECUTIVE OFFICE, RALEIGH,
March 25th, 1837

The Board of the Literary Fund met in pursuance of the call of the Prest. present His Excellency Governor Edward B. Dudley, D. W. Stone and Charles Manly, Esquires.

Communications having been addressed to the State Bank and the Bank of Cape Fear under an order of the

Board ask interest on funds in bank.

Laws codified.

Swamp land maps and reports examined.

Swamp land funds to be loaned.

last meeting inquiring if they would receive the funds of this Board at interest and at what rate, and as no answers have been received from said Banks by the Board. The Board has thought proper to advise as to loaning to individuals, when the following resolution was adopted. Resolved. That the Board will on the 1st day of April ensuing proceed to lend such part of said fund as may then be in their possession. Resolved that the succeeding notice be sent to the papers of this city for two weeks publication.

Office of the Board of the Prest. & Directors
of the Literary Fund of North Carolina.

NOTICE.

Newspaper notice
of loan of funds.

Pursuant to an order of the Priest. and Directors of the Literary fund of North Carolina the funds appropriated for the draining of the Swamp Lands and not immediately required for that purpose will be loaned out in sums not less than one thousand Dollars and the Board will be in session on the 1st day of April next at the Executive Office—the office of said Board and so continue to act upon applications for the same. The Secretary is directed to receive all applications for loans. The following form of note must be observed.

Form of blank to
be made.

(Place of Residence) day of 1837.

\$ Three months after date with interest from the date hereof, we jointly and severally promise to pay the Prest. and Directors of the Literary fund of North Carolina, or order at the office of said Board at Raleigh Dollars for value received.

Resolved. That the Secretary be directed to purchase a Blank Book.

Blank warrants to
be printed.

Resolved. The the Secretary be directed for the use of the Board to have five Quires of blank warrants on the Treasury printed. The Secretary reported that in accord-

ance with an order of the last meeting, he had examined the laws from 1826 to 1837 inclusive with the exception of a part of the acts of 1829 & all of those of 1830—which he could not find & that he found no law instituting a commission before whom owners might substantiate their titles. There being no other business it was Resolved That the Board adjourn to meet again on Saturday the 1st day of April next ensuing.

CHRISTOPHER C. BATTLE, Secretary.

EXECUTIVE OFFICE RALEIGH

Saturday, 1st day of April 1837

Pursuant to adjournment the Board of the Literary Fund met this day. Present His Excellency Gov. Dudley, Ex officio Pres. of the Board D. W. Stone and Charles Manly Esquires.

In accordance with the published Notice of the Board at its last meeting, this day was occupied in discounting notes with the money appropriated by the last General Assembly for draining the swamp lands of this state as is required by said act of Assembly. The Secretary presented all notes to the Board which had been presented to him for said purpose; when the Board acted upon and accepted the following notes & directed warrants upon the Public Treasurer for the same individually. (Viz.)

Notes presented
for loans.

No. 1.	John Sugg, James Newlon Alsey Beavers	\$1,200
No. 2	Selby & Greene Bennett T. Blake Daniel Murray	1,000
No. 3	Bennet T. Blake B. B. Smith T. H. Selby	2,500
No. 4	B. B. Smith, W. Hill Bennett T. Blake J. Busbee	4,000
No. 5	A. J. Battle C. C. Battle	4,000
No. 6	T. S. Beckwith & Co. John Beckwith C. C. Battle	1,000
No. 7.	Jno. J. Christophers James Litchford A. Williams	1,000

No. 8.	Wm. F. Clark, James Litchford Jno. J. Christophers	1,500
No. 9	Thos. Cobb, John Buffalow John G. Marshall C. A. Smith John (his X mark) Hutchins W. M. Peck.	5,000
No. 10.	C. W. D. Hutchings Bennett T. Blake T. H. Selby	1,200
No. 11.	Terrell & Brooks William Roles Benjamin Dunn Benjm. Marriott W. P. Terrell	2,500
No. 12.	William Roles Burrell Perry John S. Terrell	1,000
No. 13	J. Busbee Sarah Stone	2,000
No. 14	Sarah Stone B. B. Smith J. Busbee. . .	1,200
No. 15	John Devereaux T. P. Devereaux.	1,200
No. 16	Samuel M. Morgan W. Barbee N. J. King	2,000
No. 17.	William Barbee Samuel M. Morgan N. J. King	3,000
No. 18	Wm. Barbee Samuel M. Morgan N. J. King	3,000
No. 19.	Jno. W. Carr N. J. King John Hutchings James N. Patterson Mattie McCauley	5,000
No. 20	Jno. Beckwith T. B. Deveraux Geo. E. Badger	2,000
No. 25	A. Williams Fabius J. Haywood Jno. J. Christopher Jos. D. Newsom.	2,000
No. 28.	Thos. S. Cowan Thos. G. Polk Chas. Fisher	57,000

The Board then adjourned to meet again on 3d April & continue their discounts.

CHRISTOPHER C. BATTLE, Secretary.

EXECUTIVE OFFICE.

RALEIGH April 3d 1837

Pursuant to adjournment the Board of the Literary Fund met this day present His Excellency Edward B. Dudley Pr̄st. Ex officio D. W. Stone & Charles Manly

The business of the Board being to discount notes as on the previous meeting, the following were accepted

No. 31	April 3 Jas. T. Leach T. H. Selby, Parker	Loans made.
	Rand	\$1,000
No. 22	David W. Holland Dd. Holland Paschal	
	B. Burt	1,450
No. 23	C. J. Williams Wm. F. Collins	2,000
No. 24	Jno. Holloway B. B. Smith Jno. Buffa-	
	low Jos. T. Hunter P. B. Burt.	2,000

There being no further business the meeting adjourned to meet again tomorrow 4th April & continue to discount.

CHRISTOPHER C. BATTLE, Secretary.

EXECUTIVE OFFICE.

RALEIGH April 4th 1837

The Board of the Literary Fund met this day pursuant to adjournment Present His Excellency Gov. Dudley Prest Ex Officio & D. W. Stone Esqr. No meeting,
quorum lacking.

Mr. Manly being detained by indisposition in his family there was not a Quorum for the transaction of business—whereupon the Board adjourned until tomorrow the 5th day of April.

CHRISTOPHER C. BATTLE, Secretary.

EXECUTIVE OFFICE.

RALEIGH April 5th 1837

Pursuant to adjournment the Board of the Literary Fund met this day. Present His Excellency Gov. Dudley Pres. Ex officio D. W. Stone & Charles Manly Esquires. No satisfactory
notes.

The Board continued to act upon notes for discount be-

ing the unfinished business before them. A few notes were offered by the Secretary but not being satisfactory they were rejected by the Board. The Board then adjourned to meet again on tomorrow April 6th at 9 oclock in the morning.

C. C. BATTLE, Secretary.

EXECUTIVE OFFICE
RALEIGH April 6th 1837.

The Board of the Literary Fund met present His excellency Edward B. Dudley, Prest ex officio D. W. Stone & Chas. Manly Esquires.

The following notes were offered to & accepted by the Board & directed to be discounted.

Loans made.

No. 27	John Lasater, Willie J. Fuller Bennett	
	Lasater	\$1,500
No. 28	Cave & Holland Elisha Mitchell W. Bar-	
	bee N. J. King.	2,000

There being no other business before them the Board their adjourned.

CHRISTOPHER C. BATTLE, Secretary.

EXECUTIVE OFFICE,
RALEIGH April 7th 1837.

The Board of the Literary Fund met this day present his Excellency Gov. Edward B. Dudley Prest. ex officio D. W. Stone & Chas. Manly Esquires.

Investments con-
sidered.

In conformity with the act of last Legislature the Board considered as to the propriety of subscribing three hundred thousand dollars to the Bank of Cape Fear and also of stopping their discounts for the purpose of supplying the Wilmington & Raleigh Railroad—which requiring the cooperation of the Board of Internal Improvements—the Board adjourned to meet again tomorrow at 9 oclock.

CHRISTOPHER C. BATTLE, Secretary.

EXECUTIVE OFFICE THE OFFICE OF THE LIT. FUND

Saturday 8th April 1837

The Board met this morning 9 o'clock A. M. pursuant to ^{Investment of funds.} adjournment present His Excellency Gov. E. B. Dudley President ex officio Chas Manly & D. W. Stone Esquires. The Prest. reported that agreeable to the directions of this Board made at their meeting on yesterday the 7th instant he had transferred to the Internal Improvement fund \$34,828.13 which sum so transferred is to be returned by the Board of Internal Improvements to the funds of this Board out of the next Instalment of the surplus revenue to be received in July next. The Prest. also reported that he had subscribed in the books of subscription for the stock in the Bank of Cape Fear for 200 shares of said stock as heretofore ordered by a resolution of this Board which stock is to be paid for out of the moneys heretofore belonging to the Literary Fund not of the surplus fund. The ^{Loans.} board passed on & agreed to discount notes amounting to \$3,500 in all. One of the notes of 2,000 dollars to be put in proper form before it can be received & the money loaned on it.

No further business being before the Board at this time it was adjourned to meet again on Tuesday afternoon at 5 o'clock unless sooner called by the Prest.

CHRISTOPHER C. BATTLE, Secretary.

A warrant was forwarded to the Public Treasurer payable to the order of C. C. Battle for one hundred & thirty two dollars—to pay the member of this Board & their clerk up to this day inclusive, ninety nine for the members of the Board & thirty three for the clerk.

C. C. BATTLE, Clerk.

E. B. Dudley	\$ 33.00	Board paid for services.
D. W. Stone	33.00	
C. Manly	33.00	
C. C. Battle—Clerk.....	33.00	
\$132.00		

EXECUTIVE OFFICE,
RALEIGH April 11th 1837.

The Board of Directors of the Literary Fund of North Carolina met this day according to adjournment. Present His Excellency Edward B. Dudley Pres. Ex Officio D. W. Stone & Charles Manly Esquires.

The Board examined accurately the notes before them & on due consideration accepted for discount the following to the amount of \$17,000—(viz)

Loans made.

No. 30.	R. Faucette, Jon Jaralson	\$1,000
31.	W. J. Langdon Tho. G. Whitaker George Crowder Samuel Whitaker Allan Adams	5,000
32.	C. P. Mallett, E. J. Hale, L. Mallett J. W. Wright, W. H. Beatly	10,000

Then being no further business before the Board at this time they adjourned to meet tomorrow 12th Inst at 5 o'clock P. M.

CHRISTOPHER C. BATTLE, Secretary.

EXECUTIVE OFFICE
RALEIGH April 12th 1837.

The Board of the Literary Fund met this afternoon pursuant to adjournment present His Excellency E. B. Dudley Pres. ex officio D. W. Stone & Charles Manly Esquires.

Mr. Pettigrew
resigns.

When a letter of resignation as a member of this Board from Mr. Ebenezer Pettigrew was received & accepted.

Several notes were offered for discount none of which being satisfactory they were rejected.

No further business being before the Board it was adjourned to meet again tomorrow morning at 9 o'clock A M.

CHRISTOPHER C. BATTLE,
Secretary to the Board.

EXECUTIVE OFFICE,
RALEIGH April 13, 1837.

The Board of the Literary Fund met this day pursuant to adjournment present His Excellency Edwd B. Dudley Pres. ex officio D. W. Stone and Charles Manly.

The Board continued their discounting business and accepted the following note Viz. Loans made.

No. 33. A. J. Battle C. C. Battle..... \$2,000

There being no further business before the Board it adjourned to meet again tomorrow at 9 o'clock A. M.

CHRISTOPHER C. BATTLE,
Secretary to the Board.

EXECUTIVE OFFICE
RALEIGH, April 14th 1837

The Board of the Literary Fund met this day present His Excellency E. B. Dudley Pres. ex officio D. W. Stone & Chas. Manly.

The Board discounted notes this day to the amount of six thousand dollars—as follows (to wit) Loans made.

No. 35. James Phillips, Elisha Mitchell, H. M.
Cave \$1,000

No. 36. Eleanor Haywood Sarah Polk Rob W.
Haywood 5,000

There being no further business the Board adjourned to meet again at 6 o'clock P. M. tomorrow April 14th.

CHRISTOPHER C. BATTLE,
Secretary to the Board.

EXECUTIVE OFFICE
RALEIGH April 15th 1837

The Board of the Literary Fund met this day present His Ex. E. B. Dudley Pres. ex Officio, D. W. Stone & Chas. Manly Esquires. No business transacted.

There was but one note on hand for the consideration of

the Board, which was rejected inasmuch as the makers and their circumstances were entirely unknown to the Board.

There being no further business the Board adjourned to meet on Monday the 17th at 10 o'clock A M.

CHRISTOPHER C. BATTLE,
Secretary to the Board.

EXECUTIVE OFFICE
RALEIGH April 17th 1837

The Board of the Literary Fund met this day pursuant to adjournment, present His Excellency Edward B. Dudley Pres. ex officio, D. W. Stone & Chas. Manly Esquires.

The Board resumed the business of discounting notes & accepted the following note (viz)

Loans made.

No. 37. Wesley Hanks, Jos. Ramsey, Stephen
Petty \$2,447

There being no further business the Board adjourned to meet at the call of the President.

CHRISTOPHER C. BATTLE,
Secretary to the Board.

RALEIGH May 19, 1837

The Literary Board met this day, pursuant to the call of the President Present His Excellency Gov. Dudley Pres. ex officio Chas. Manly & D. W. Stone Esquires.

Pettigrew's successor considered.

A letter of inquiry having been forwarded to Josiah Collins Jr. to know if he would be willing to fill the vacancy in the Board & his letter declining the favor having been received the President informed the Board that Caleb Spencer and David Carter had been recommended to fill the vacancy but the Board deferred making any appointment for the present.

Work in Hyde county.

The President also informed the Board that A. Saddler of Hyde County was recommended as an overseer of any work that they might desire to have carried on there, but

there being no work now in progress or contemplated very shortly to be undertaken, they deem it unnecessary now to engage his services.

The President also informed the Board that Mr. Murray of Hyde County had a ditch leading from Mattamuskeet Lake to Yesoking Creek which would afford great facility to draining the Lake & that he was disposed & willing to sell it to the Literary Board for \$3,000 but the Board do not think it advisable to make any purchase until further and more full information is had on the subject.

The Board then adjourned subject to the call of the President.

CHRISTOPHER C. BATTLE, Secretary.

EXECUTIVE OFFICE

RALEIGH May 30th 1837.

Pursuant to a call of the President the Board of the Literary Fund met this day. Present His Excellency Gov. Dudley Prest. ex officio Chas. Manly & D. W. Stone Esquires.

The President submitted various letters and applications for the appointment of Commissioners to superintend the draining of the Matimuskeet Lake & recommending divers persons for the appointment. Whereupon it was Resolved that David Carter, Tilman Farrow & R. M. G. More all of Hyde County be appointed for that purpose & that the President forward them Commissions accordingly.

It was also resolved that William A. Blount of Washington Beaufort County be appointed a member of this Board to supply the vacancy occasioned by the resignation of Mr. E. Pettigrew, Josiah Collins, Jr., having declined to accept the same.

W. A. Blount appointed member of Board.

No further business being now before the Board it adjourned subject to the call of the President.

CHRISTOPHER C. BATTLE, Secretary.

EXECUTIVE OFFICE

RALEIGH June 28 1837

Pursuant to a call of the Prest. the Board of the Literary Fund met this day present Gov. E. B. Dudley Prest. ex officio D. W. Stone & Chas. Manly Esquires.

Resolution about
interest on loans.

The Board having taken under consideration the propriety of the notes due the President & Directors of the Literary Fund renewed. Resolved. That Interest on all notes due in July ensuing will be required to be paid & the notes may be renewed with satisfactory security. Resolved also That on all notes due the said President & Directors between 5 & 10 thousand Dollars an installment of 5 per cent. & on all for 10 thousand dollars and upwards an instalment of 10 per cent will be required at the next time of renewal unless otherwise directed by the Board.

The Board then adjourned to meet again tomorrow June 29th at 12 o'clock.

CHRISTOPHER C. BATTLE, Secretary.

EXECUTIVE OFFICE

RALEIGH June 29th 1837.

The Board of the Literary Fund met this day according to adjournment Present Gov. Dudley, Prest. ex Officio Chas. Manly & D. W. Stone Esquires.

Engineers recommended.

The President laid before the Board two communications—on the subject of a Civil Engineer to survey the swamp lands of this state. Mr. W. Gwinn recommended Mr. Charles B. Shaw of Charlottesville Va. & Mr. William D. Moseley Col. Carney of Beaufort. The President was directed to answer these communications—make a statement of the work to be performed & inquire what salary they would be willing to receive and what time they would be able to devote to the services required.

There being no further business the Board adjourned to meet again on Saturday the 1st July 1837 at 12 o'clock.

CHRISTOPHER C. BATTLE, Secretary.

EXECUTIVE OFFICE

RALEIGH July 1st 1837.

The Board of the Literary Fund met this day according to adjournment. Present Gov. Edwd. B. Dudley Prest. ex officio, D. W. Stone & Chas. Manly Esquires.

The Board acted on the notes for renewal—compared them with the original Notes—found them correct—and passed them as good.

Interest was received on the following notes and placed Renewal of loans. to their credit.

No. 2.	Selby & Greene Note \$1,000—Interest	
	Paid	\$15.00
No. 3	Bennett T. Blake Note \$2,500—Interest	
	Paid	37.50
4	B. B. Smith Note \$4,000—Interest	
	Paid	60.00
7	J. J. Christophers Note \$1,000—Interest	
	est Paid	15.00
11	Lemuel M. Morgan Note \$2,000—Interest	
	est Paid	30.00
8	W. F. Clark Note \$1,500—Interest	
	Paid	22.50
18.	Wm. Barbee Note \$3,000—Interest	
	Paid	45.00
19.	J. W. Carr Note \$5,000—Interest	
	Paid	75.00
24.	J. Holloway Note \$2,000—Interest	
	Paid	30.00
28.	Cavé & Holland Note \$2,000—Interest	
	Paid	30.00
35.	James Phillips Note \$1,000—Interest	
	Paid	15.00

The Board then adjourned to meet on Monday the 3d day of July A. D. 1837.

CHRISTOPHER C. BATTLE, Secretary.

EXECUTIVE OFFICE

RALEIGH July 3d 1837.

The Board of the Literary Fund met this day according to adjournment present Gov. Edward B. Dudley Pres. ex officio, D. W. Stone & Chas. Manly.

Loans and renew-
als.

Several Notes were renewed upon all of which the interest for 3 months had been received. The Board then proceeded to examine the several notes that were presented for their action—pronounced many good—but for the want of funds (The checks on the North not having been returned) They ordered this one only to be discounted.

R. K. Dickenson, R. W. Cowan, Thos. Cowan \$20,000.

The Board then adjourned to meet tomorrow July 4th, A. D. 1837

CHRISTOPHER C. BATTLE, Secretary.

EXECUTIVE OFFICE

RALEIGH July 4, 1837.

At a meeting of the President and Directors of the Literary Board this morning present His Excellency Gov. E. B. Dudley, President Chas. Manly & D. W. Stone Esqs.

Two notes amounting to \$3,200 were renewed. & one amounting to \$3,000 was discounted as follows

Loans and renew-
als.

No. 13 Renewal J. Busbee & Sarah Stone \$2,000

14. Renewal Sarah Stone, B. B. Smith, J.

Busbee 1,200

No. 1 Discounted—S. J. Baker, J. Deveraux . . 3,000

There being no further business before the Board they adjourned till tomorrow morning at 9 o'clock.

CHRISTOPHER C. BATTLE, Secretary.

EXECUTIVE OFFICE

RALEIGH July 5, 1837

At a meeting of the Board of the Literary Fund at 9 o'clock this day pursuant to adjournment; Present at yes-

terday Gov. Edwd. B. Dudley, Pres. ex officio, Chas. Manly & D. W. Stone Esquires.

Three notes were renewed amounting to \$8,200.

Renewal of loans.

No. 15, A. J. Battle.....	\$6,000
No. 16, C. W. D. Hutchins.....	1,200
No. 17, J. T. Leach	1,000

There being no further business the Board adjourned till 6 oclock tomorrow evening July 6th A. D. 1837.

CHRISTOPHER C. BATTLE, Secretary.

EXECUTIVE OFFICE
RALEIGH July 6th 1837.

The Board of the Literary Fund met this day agreeable to adjournment present Gov. Dudley, Prest. ex officio D. W. Stone Chas. Manly & Wm. A. Blount Esquires.

The notes of Messrs. Thos. Cobb D. Boon & Wesley Hanks amounting to \$8,900 were severally renewed and filled.

Renewal of loans ;
new loans ; loans
to cease.

No. 19. D. Boon (Interest Paid).....	\$1,500
18. Thomas Cobb (Interest Paid).....	5,000
20 Wesley Hanks (Interest Paid).....	2,400

Of the New Notes offered for discount the Board accepted the following and resolved not to discount more for the present.

No. 3. J. Bear, Jr.	\$2,000
4. W. & A. Stith.....	2,000
5. J. W. Lewis	4,000
6. Bunn & Bryant Bennett Bunn &:.....	8,000
7. Bennett Bunn	6,500
8. Holderby & McPheeters	6,500
9. A. D. More J. Swan J. More.....	2,000
10. F. J. Swann	4,000
11. T. F. Davis	1,500
12. T. P. Devereaux.....	1,000
13. Fred Hill	1,200

14. David Carter. 1,000
 15. Turner & Hughes Total (\$43,700) 4,000

There being no further business before the Board it was adjourned till 9 o'clock tomorrow July 7th 1837.

CHRISTOPHER C. BATTLE, Secretary.

EXECUTIVE OFFICE

RALEIGH July 7th 1837.

Agreeable to adjournment the Board of the Literary Fund met this day present Gov. E. B. Dudley, ex of. D. W. Stone, Chas. Manly & William A. Blount, Esqs.

Swamp lands considered; inquiry as to State's title.

There being no notes offered for renewal and the Board having stopped their discounts, the subject of the swamp lands was taken up for consideration. Gen'l. William A. Blount suggested that in their exertion for the reclamation of the Swamp Lands it might be proper and most expedient first to ascertain that the state held the lands in undisputed titles, make some convenient selection—try the experiment on a small scale with means adequate to test its practicability & if that succeeded then to begin on a more enlarged & liberal system. After some more general discussion the subject was postponed for further consideration & the Board adjourned to meet again on Monday the 10th July at 4 o'clock in the afternoon.

CHRISTOPHER C. BATTLE, Secretary.

EXECUTIVE OFFICE

RALEIGH July 10th 1837.

Renewal of loans; swamp lands.

The Literary Board met this day agreeable to adjournment, present His Excellency Edward B. Dudley Pres. ex officio, Chas Manly, D. W. Stone & William A. Blount.

The Board acted on the notes offered for renewal & then resumed the consideration of the lakes and swamp lands belonging to the state. After being sometime engaged in the investigation of this business, the Board adjourned to meet again tomorrow at 9 o'clock July 11th A. D. 1837.

CHRISTOPHER C. BATTLE, Secretary.

EXECUTIVE OFFICE,
RALEIGH July 11th 1837

The Board of the Literary Fund met this day pursuant to adjournment present His Excellency Gov. E. B. Dudley Prest. Ex Officio Chas. Manly, Wm. A. Blount & D. W. Stone Esquires.

The Board again renewed the consideration of the draining of the swamp Lands & the following resolutions were adopted. Resolved That when a civil engineer shall be employed by the Board he be directed to make the following enquiries & investigations Inquiries to be made as to swamp lands.

1st Where the Swamp Lands belonging to the state in the counties of Tyrrell Hyde Beaufort Craven & Carteret are situated.

2nd The practicability of draining said lands & the value of the same when reclaimed.

3d. The titles of individuals to the swamp Lands adjoining the Swamp lands of the state & the probable benefit that would be derived by them from the State improvements & that he be directed to go on the swamp lands and make actual surveys, obtain all the testimony he can collect from living witnesses as to the titles to the lands—examine the registers office of the several counties & the office of the Secretary of State for the grants and conveyances giving titles to individuals to the said swamp lands & at what point the drainage can be best most advantageously & beneficially commenced, the probable cost of executing any proposed work, & the time it will likely take to complete the same & such other information of a practical and scientific nature as may enable the Board to determine on & select the most eligible spot for commencing the operations contemplated & to execute such other duties as the Board may “from time to time” require & direct.

Resolved That all notes due the Prest. & Directors of the Literary Fund of North Carolina, that shall not be paid or renewed according to the rules of the Board within Notes for loans to be collected.

thirty days after their maturity shall be put in suit and forthwith collected in full.

Subscription to
Farmers' Register.

Resolved That the Secretary subscribe for the *Farmers Register* published in Virginia for the use of this Board & that the numbers be taken from the first of April last.

Case for records of
the Board.

Resolved That the Secretary be directed to have a suitable case made and put up in the back room of the Executive Office to keep the books & papers of the President and Directors of the Literary Fund in.

Reports on lands
to be republished

Resolved That all the reports on the subject of the Swamp Lands that can be procured be re-published in pamphlet form for the use of this Board and that 100 copies of the same be published.

The Board then adjourned until tomorrow morning at 9 o'clock July 12th 1837.

CHRISTOPHER C. BATTLE, Secretary.

EXECUTIVE OFFICE,

RALEIGH, N. C., July 12th, 1837

Agreeable to adjournment the Board Lit. Fund met this day present Gov. Dudley Prest. ex officio, Wm. A. Blount, D. W. Stone & Chas. Manly Esqs.

The Board renewed the notes offered to the Board & directed the Secretary to draw a warrant for the pay of the Board this day inclusive.

CHRISTOPHER C. BATTLE, Secretary.

Board pay them-
selves.

A warrant was drawn in favor of C. C. Battle for \$290.87½, the amount of which the members were paid

Gen'l Wm. A. Blount	\$ 62.87½
Gov. Dudley, D. W. Stone, Chas. Manly 57 each.	171.00
C. C. Battle, Secretary (19 days).....	57.00

\$290.87½

(See Warrant Book No. 84)

EXECUTIVE OFFICE,
RALEIGH July 13th 1837.

The Literary Board met this day. Present Gov. Dudley Notes renewed.
ley Pres. ex officio, D. W. Stone & Chas. Manly Esqrs.
The Board renewed several notes the interest having been
paid. There being no further business the Board ad-
journd till tomorrow.

C. C. BATTLE, Secretary.

EXECUTIVE OFFICE,
RALEIGH July 14th '37.

This day the Literary Board met present Gov. Dudley Notes renewed.
Prest. ex officio, D. W. Stone & Chas Manly Esquires.

Again the Board renewed notes, interest being paid, &
there being no further business the Board adjourned.

C. C. BATTLE, Secretary.

BANK OF CAPE FEAR, 11 July 1837

DEAR GOVERNOR An omission has just been discovered About bank stock
subscription.
in the subscription list received from the Commissioners
at Raleigh. Mr. Wm. H. Haywood, Jr., is put down as
subscribing by himself & others for 57 shares, when there
are but 56 subscribers of one share each. I suppose that
one name has been omitted or perhaps Mr. Haywood
means to put down 2 shares to his own name. At any
rate he seems to have paid the first Instalment on 57 shs.
Will you be good enough to have it corrected and return
me the list. Mr. Haywood has never yet presented his re-
ceipts nor obtained his certificate for the first 20 shares
subscribed & can receive no dividends until he does.

If he will send his receipts for the 1st instalments on
the 57 shares last subscribed to Mr. Wright, they can be
in the receipt for the 2nd instalment which he is about to
pay.

Mrs. Hutridge is much better convalescent. No news
except the sudden demise of citizen Morgan Sholar in the

fullness of his fame and glory, just as his star had reached the ascendent & rewards and honors were wooing his acceptance "sic transit etc." The customs are in mourning.

Yours very respectfully

JOHN HILL Cashier.

RALEIGH July 14, 1837

Letter about bank
stock subscription.

DEAR SIR: With the assistance of Mr. Haywood the subscription made on his account has been made correct agreeably to his payment & herewith I return the list. I hand you herewith also the power of Atty. of the several persons for whom he paid the 1st instalments with directions thereon to transfer 50 shares to Mr. Haywood and the remaining seven to the President & Directors of the Lit. Fund of No. Car. Please send me the receipt for the seven shares for which Mr. Haywood has been paid. I hand you herewith also the Treasurer's check on your own Bank for four Thousand Dollars to pay the second instalment on the subscription of stock made originally by the Prest. & Directors of the Lit. Fund of No. Car. The receipt for which please forward to me. Mr. Haywood has strong suspicion of having lost his receipts for the payment stock formerly subscribed for in your Bank. He has looked several times unsuccessfully & he would be pleased to get the evidence of stock on your Knowledge of the payment if admissable & will agree to deliver the receipts whenever found or make them void whether found or not.

I am with great regard etc.,

Your obt. servant,

EDWARD B. DUDLEY.

COL. J. HILL.

Cash. Bank Cape Fear.

EXECUTIVE OFFICE,

RALEIGH July 15th 1837.

Receipt for money. On this day I deposited with D. W. Court Public Treasurer of North Carolina checks and money belonging to the

Literary Fund of North Carolina amounting to \$2,134.33 being interest and part principals (\$47) on notes discounted by said Board in April last. For which I have his receipt dated July 14th 1837 & which may be found with the papers of said Board on file in this office, the office of said Board.

CHRISTOPHER C. BATTLE, Secretary.

Sept. 1837. Paid Mr. T. Loring \$2.87½ for printing Bill for printing. done by order of the Board of the Literary Fund, for which I have his Recept. on file with the papers of said Board.

C. C. BATTLE, Sec'y

EXECUTIVE OFFICE,
RALEIGH July 25th 1837

"On this day Chas. Manly & D. W. Stone commenced to transact some business for the Board of the Literary Fund.

In execution of a resolution of said Board they selected Reports to be printed. from the reports on Internal Improvements the following extracts, one hundred copies of which are to be published for the use of said Board.

Report of J. Price & W. C. Came-	
ron,	Pages 29-36
of our sea Cost.	" 84-88
A D. 1822 Report of H. Felton, brown &	
white marshes	" 16-19
1823 Report of H. Felton on Canal from	
Plymouth to Pungo River	" 30-31
Report of H. Felton, brown &	
white marshes	" 35-36
1827 Nash Report on Swamp Lands	" 5-23
Brazier Report Big Swamp	" 25-28

As Secretary to the Board I immediately engaged Mr. Lemay to print the above number of pamphlets & also subscribed by order of the Board for the "*Farmers Register*"

Published by Edward Ruffin, Petersburg, Va. for which I sent him a five dollar note and have his recpt. for the same on file with the papers belonging to the Board of the Literary Fund.

CHRISTOPHER C. BATTLE, Secretary.

No. 1.

The State of North Carolina
To the Public Treasurer

Bill for printing
paid.

Pay to Thomas J. Lemay seventy eight & 50-100 Dollars out of the money belonging to the Literary Fund for printing for said Board as per bill & this shall be your warrant for the same.

EDWARD B. DUDLEY,
Pres. Ex Officio.

Sept. 9,
A. D. 1837

Superseded by warrant No. 110. See Warrant Book Drawn by the Gov. as Governor & not as Pres. ex officio. Oct. 6th 1837.

C. C. BATTLE, Secretary.

EXECUTIVE OFFICE,
RALEIGH Sept. 2nd, 1837.

Renewal of loans.

The Board of the Literary Fund met this day pursuant to a call of the President present His Excellency Gov. Edward B. Dudley Pres. ex officio, Chas. Manly, D. W. Stone.

When seven notes amounting to \$16,000 were discounted on renewal.

There being no further business the board adjourned to meet again on Monday, the 4th Sept. at 10 oclock, A. M.

C. C. BATTLE, Secretary.

EXECUTIVE OFFICE,
RALEIGH Sept. 4th 1837.

Pursuant to adjournment the Board of the Literary Fund of North Carolina met this day present Gov. Edward

B. Dudley Pres. ex officio, Charles Manly & D. W. Stone Esquires.

The President submitted letters from several gentlemen as to the terms on which they would be employed as civil engineers by the board: whereupon it was Resolved. That Mr. Charles B. Shaw of Virginia be appointed civil engineer for this Board at a salary of \$2,500 per annum agreeable to the terms stated in his letter of the 3d July 1837. Resolved that the President of the Board be requested to inform Mr. Shaw of his appointment & desire him to report himself to this Board at Raleigh as soon as convenient for instructions as to the duties desired to be performed.

Chas. B. Shaw appointed engineer.

The Board then adjourned subject to the call of the President.

CHRISTOPHER C. BATTLE,
Secretary to the Board Lit. Fund

EXECUTIVE OFFICE
RALEIGH Oct. 2nd, 1837.

By a call of the President the Board of the Literary Fund met this day present His Excellency Gov. Dudley, Pres. Ex officio D. W. Stone & Chas. Manly Esquires.

Notes were offered for renewal to the amount of \$16,900 Renewal of loans. & the interest being paid on them, they were examined and accepted.

There being no further business the Board adjourned to meet again tomorrow Tuesday evening at 5 o'clock.

CHRISTOPHER C. BATTLE,
Secretary to the Board.

EXECUTIVE OFFICE
RALEIGH October 3d, 1837.

The Board of the Literary Fund met this day pursuant to adjournment Present Gov. Dudley Pres. ex officio, Chas. Manly & D. W. Stone Esquires.

Three notes to the amount of \$6,950 were renewed Renewal of loans. Interest being paid on the old Notes.

Mr. Shaw reports
for duty.

Mr. Charles B. Shaw Civil Engineer employed by the Board reported himself ready for the service directed to be performed by the Board when he was directed to examine the Grants in the Secretary of State's office, to make such plots, etc., as may aid him in the examination of the swamp-lands in the Eastern parts of the state belonging to the Literary Fund, & that when he shall have finished them that he procure the necessary instruments & proceed to the examination & survey, etc., of the Swamp Lands.

There being no further business before the Board it adjourned to meet again on tomorrow evening at 5 o'clock.

CHRISTOPHER C. BATTLE,

Secty. to the Board Lit. Fund.

EXECUTIVE OFFICE,

RALEIGH Oct. 4th A. D. 1837.

No quorum.

Met according to adjournment. D. W. Stone only being present adjourned till tomorrow Oct 5th, 5 o'clock P. M.

CHRISTOPHER C. BATTLE,

Secty. to Board.

RALEIGH October 5th A. D. 1837.

Receipt for money.

On this day I deposited with D. W. Courts Pub Treas. of the state of No. Car., one thousand six hundred & thirty nine 87½-100 Dollars being money paid to me as Secretary to the Board of the Literary Fund of No. Ca., as Interest on Notes discounted by said Board in April & July last Past for which I hold his receipt in the papers for said Board on file in Executive Office, office of said Board, as follows

For Notes due in July	\$ 89.62½
For Notes due Oct. past	1550.25

Total\$1639.87½

CHRISTOPHER C. BATTLE,

Secretary to Board.

EXECUTIVE OFFICE,
RALEIGH Oct. 5, 1837.

Met according to adjournment Gov. E. B. Dudley, Prest. No quorum.
& Chas. Manly. There being no quorum the Board stood
adjourned till tomorrow 5 o'clock Oct. 6th 1837.

C. C. BATTLE, Sect'y.

EXECUTIVE OFFICE,
RALEIGH Oct. 6th A. D. 1837.

Met according to adjournment. Gov. Dudley Prest. & No quorum.
Chas. Manly Esqr. There still being no quorum, ad-
journed till tomorrow Oct. 7th at 10 o'clock A. M.

C. C. BATTLE, Sect'y.

EXECUTIVE OFFICE,
RALEIGH Oct. 7 1837

Pursuant to adjournment, the Board of the Literary Renewal of loans.
Fund met this day present Gov. Dudley Prest. Ex. of.
Chas. Manly & D. W. Stone Esquires, when Notes to the
amount of \$68,000 were renewed, Interest being Paid.
The Note of Thos. L. Cowan & others for \$57,000 was
renewed in full contrary to the resolution of the Board
adopted in July last requiring 10 per cent to be paid at
every renewal hereafter on all notes of \$10,000 & on the
promise of the obligors in said Note to pay 20 per cent at
the next renewal in Jany. which the Board will insist on
being fully complied with. It was resolved that the Engi-
neer employed by the Board Mr. Chas. B. Shaw be directed Mr. Shaw put to work.
to go on to the North & procure such Instruments as he
may require in the Surveys, etc., to be made of the Swamp
Lands & that he be authorized to employ one assistant
Engineer & such other common Laborers & assistant sur-
veyors as he may need when he goes down on the Lands &
that the President of the Board be authorized to furnish
Mr. Shaw with funds necessary for the above purposes.
Resolved That the Instalment due on the stock in the Bank

of Cape Fear subscribed for by this Board be paid by the President of this Board when it shall become due.

There being no further business before the Board it adjourned to meet again at the call of the President.

CHRISTOPHER C. BATTLE,

Secretary to the Board.

No. 1.

The State of North Carolina

\$792.00

To the Public Treasurer.

Pay to C. C. Battle seven hundred and ninety two Dollars out of the appropriation for draining the Swamp Lands of this state to purchase instruments, etc., as per requisition of Chas. B. Shaw Civ. Eng. to the Board Lit. Fund & this shall be your warrant.

Oct. 11th 1837.

EDWARD B. DUDLEY,

Pres. ex officio.

Cost of instrument
bought.

Instruments 2 Levels	\$260
1 Theodolite	120
1 Compass	40
Targets, chains, Rods & Leve Slaves.....	37
	\$457.00
My own expenses to Balt & back to Norfolk.....	35.00
1 mo. pay of party on field service about.....	300.00

exclusive of the pay of an assistant which will be

about \$1,000 per annum payable quarterly....\$792.00

CHAS. B. SHAW.

Oct. 11th 1837.

Received \$792.00 for the purpose specified above from
C. C. Battle.

CHAS. B. SHAW.

EXECUTIVE DEPARTMENT,

RALEIGH Oct. 19, 1837

Payment on bank
stock.

DR. SIR: I hand you, enclosed, check from the Bank of the State on your Fayetteville branch for four thousand

One hundred & forty Dollars to pay the third instalment of subscription made by the President and Directors of the Literary fund of North Carolina & by others for them of 207 Shares of the New Stock in the Bank of Cape Fear.

Please apply the check and send me a receipt.

I am with great respect

Yr obtt

EDWD. B. DUDLEY,

Pres. ex-officio.

J. HILL, Esq.,

Cashier Bank of C. F.

Wilmington.

EXECUTIVE OFFICE

RALEIGH Oct. 16th 1837

The Board of the Literary Fund met this day present Renewal of loans.
His Excy. Gov. Edwd. B. Dudley Prest. Ex officio D. W. Stone & Chas. Manly Esquires.

Notes were offered and renewed, interest being paid thereon, to the amount of forty six thousand one hundred Dollars.

There being no further business before the board it adjourned to meet again tomorrow evening at 5 o'clock.

CHRISTOPHER C. BATTLE, Secty.

EXECUTIVE OFFICE

RALEIGH Oct. 17th 1837.

The Board of the Literary Fund met this day, present No business.
His Ex'y Edwd. B. Dudley, Prest. ex of. D. W. Stone & Chas. Manly.

No notes being offered for renewal & there being no other business under consideration the Board adjourned to meet on thursday evening next at four oclock.

CHRISTOPHER C. BATTLE,

Secretary to the Board.

EXECUTIVE OFFICE,
RALEIGH Oct. 19th 1837.

Agreeable to adjournment the Board of the Literary Fund met this day Present His Exy. E. B. Dudley, D. W. Stone & Chas. Manly Esquires.

Renewal of loans.

Notes amounting to Seven thousand dollars were offered & renewed, interest being paid thereon.

There being no further business before the Board it adjourned to meet again on the 21st at four o'clock P. M.

CHRISTOPHER C. BATTLE, Secty.

EXECUTIVE OFFICE
RALEIGH Oct. 21st 1837.

Suit to be brought
on notes.

Pursuant to adjournment the Board of the Literary Fund met present His Exy. Edward B. Dudley Pres. Ex Officio, D. W. Stone & Chas. Manly Esquires.

No Notes being offered for renewal though many were due, it was ordered that the Resolution, passed 11 July 1837 directing suit to be brought on all Notes not offered for renewal within thirty days after they were due, be published again so as to give full and ample notice to the debtors. There being no further business the Board adjourned to the 24th. inst. 4 o'clock P. M.

CHRISTOPHER C. BATTLE, Secretary.

EXECUTIVE OFFICE
RALEIGH Oct. 24th 1837

Renewal of loans.

The Board met this day pursuant to adjournment present His Exy. Edwd. B. Dudley Prest. ex officio, D. W. Stone & Chas. Manly Esquires.

The Note of W. & A. Stith for \$2,000 was renewed Interest being paid thereon. There being no further business before the Board it adjourned to the 26th inst. 4 o'clock P. M.

CHRISTOPHER C. BATTLE, Secretary.

EXECUTIVE OFFICE

RALEIGH Oct. 26th 1837

The Board met this day agreeable to adjournment present His Ex'y Edwd. B. Dudley, Pres. ex officio, D. W. Stone & Chas. Manly Esquires.

Notes in amount \$2,200 were offered and renewed the Renewal of loans. interest being paid thereon. There being no further business before the Board it adjourned to the 28th inst. 4 oclock P. M.

CHRISTOPHER C. BATTLE, Secretary.

EXECUTIVE OFFICE

RALEIGH Oct. 28th 1837.

The Board met this day pursuant to adjournment present His Ex'y Edwd. B. Dudley President ex officio, D. W. Stone & Chas. Manly Esquires.

The Notes of Thos. Cobbs was offered and received, in- Renewal of loans. terest being paid thereon. There being no further business the Board adjourned to the 30th inst. 4 o'clock P. M.

CHRISTOPHER C. BATTLE,
Secretary to the Board.

EXECUTIVE OFFICE

RALEIGH Oct. 30th 1837.

The Board met this day pursuant to adjournment. present His Ex'y Edward B. Dudley Pres. ex officio, D. W. Stone & Chas Manly Esquires

Two notes in amount \$7,000 were offered and renewed Renewal of loans. Interest being Paid thereon. There being no further business the Board adjourned to the 31st Oct. 4 oclock P. M.

CHRISTOPHER C. BATTLE,
Secretary to the Board.

EXECUTIVE OFFICE

RALEIGH Oct. 31st 1837

The Board met this day pursuant to adjournment pres-

ent His Exy. Edwd. B. Dudley President ex officio D. W. Stone & Chas. Manly Esquires.

Renewal of loans.

The Note of W. J. Langdon for \$6,000 was offered & renewed interest being paid thereon. There being no further business before the Board it adjourned to the 1st Nov. 1837 4 oclock P. M.

CHRISTOPHER C. BATTLE,
Secretary to the Board.

TREASURY DEPARTMENT No. CA.

\$1171

RALEIGH Oct. 31st 1837

Receipt for money.

Rec'd of C. C. Battle Secretary to the Board of the Literary Fund eleven hundred and seventy one Dollars being interest on money loaned on bonds by said Board for which sum I have given two receipts of the same tenor and date.

D. W. COURTS, Public Treasurer.

These are the words of the Treasurers receipt which I have on file in the papers of the Board of Literary Fund.

C. C. BATTLE, Sect'y.

EXECUTIVE OFFICE

RALEIGH No. 1st 1837.

Pursuant to adjournment the Board of the Literary Fund met this day present His Exy. E. B. Dudley Prest. ex officio D. W. Stone & Chas. Manly Esquires.

Renewal of loans.

The Note of T. L. Beckwith & Co. for \$1,000 was received Interest being paid thereon. There being no further business before the Board it adjourned to meet again tomorrow the 2nd instant 4 o'clock P. M.

CHRISTOPHER C. BATTLE,
Secretary to the Board.

EXECUTIVE OFFICE

RALEIGH November 2nd 1837

The Board met this day according to adjournment Present His Excy Edwd. B. Dudley, Prest. Ex officio D. W. Stone & Chas. Manly Esquires.

The Notes of B. B. Smith for..... \$4,000 Renewal of loans.

B. T. Blake 2,500

were renewed. There being no further business the Board adjourned to meet on the 4th Inst. at 4 o'clock P. M.

CHRISTOPHER C. BATTLE, Secty.

EXECUTIVE OFFICE

RALEIGH Nov. 4th 1837

The Board met this day according to adjournment Present His Excy. E. B. Dudley President Ex officio D. W. Stone & Chas. Manly Esquires.

When the note of Thos. E. Davis for \$1,000 Renewal of loans. was renewed interest being paid thereon. There being no further business before the Board it adjourned to meet at the call of the President.

CHRISTOPHER C. BATTLE,

Secretary to the Board.

Warrant No. 117 was drawn in my favor on the Public Treasurer for \$283 87-100 to defray the expenses of the Board up to this day.

Gov. Dudley, D. W. Stone & Chas. Manly for 23 Expenses of Board.

days at 3 per day—\$69 each—Total.....\$ 207.00

C. C. Battle Secty—23 days..... 69.00

For Farmers Register (Vide page 23)..... 5.00

T. Loring printing account (Vide page 22).... 2.87

Total..... \$283.87

CHRISTOPHER C. BATTLE, Secretary.

EXECUTIVE OFFICE

RALEIGH Nov. 10th 1837

Pursuant to a call of the President the Board of the Literary met this day present His Excellency Edward B. Dudley, Pres. Ex officio, Chas. Manly & D. W. Stone.

The following notes were renewed interest being paid

Renewal of loans.	R. H. Cowan & others.....	\$20,000
	Wm. Roles & others.....	1,000

When there being no further business the Board adjourned to meet at the call of the President.

CHRISTOPHER C. BATTLE, Secty.

TREASURY DEPARTMENT, No. Ca.

Nov. 15 1837

\$466.16

Receipt for money. Rec'd of C. C. Battle Secretary to the President & Directors of the Literary Fund four hundred & sixty six 16/100 Dollars as interest on money loaned by said Board for which sum I have given two receipts of the same tenor and date.

D. W. COURTS

Public Treasurer.

These are the words of the P. Treasurer recpt which I have on file with the papers as follows

Of this sum There belongs to the Interest due in

July	\$9.66
The balance on the October Recpts.....	456.50

Amounting to \$466.16

CHRISTOPHER C. BATTLE,

Secretary to the Board.

Loaned in April 1837.....\$145,197.00

Statement of loans made.

Interest for three months	2,177.95
Wesley Hanks returned of Principal	47.00
A. J. Battle Paid interest for three months & 13 days on four thousand Dollars so as to embody two notes	8.66

The aggregate amount \$2,233.61

Deposited July 15th (see page 22) with Pub.	
Treas.	\$2,134.33
Do. Oct. 15 (25)	89.62
Do. No. 15 (33)	9.66

Total Interest Paid	\$2,233.61
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Renewed and loaned in July	\$211,850.00
Interest for 3 months	3,177.75
Deposited Oct. 5 (26) \$1550.25 Oct. 31	
(31) \$1171.00	2,721.25
Nov. 15	456.50

Total Interest paid by C. C. Battle, Secty...	\$3,177.75
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EXECUTIVE OFFICE

RALEIGH Nov. 21st 1837.

Pursuant to the call of the President the Board of the Loan made.
Literary Fund met this day present His Excy. Edwd. B.
Dudley President Ex officio, D. W. Stone & Chas. Manly
Esquires.

The Note of R. M. Sanders was laid before the Board
for \$2,500 which was discounted by the Board. There
being no further business before the Board it adjourned
subject to the call of the President.

C. C. BATTLE, Secretary.

On this day I deposited in the Bank of the State Notes Notes deposited.
belonging to the Board in amount \$204,350.

C. C. BATTLE, Secretary.

EXECUTIVE OFFICE

RALEIGH Dec. 5th

Pursuant to a call of the President, the Board of the Visit to swamp
lands proposed.
Literary Fund met this day present His Excellency Ed-
ward B. Dudley Pres. ex officio D. W. Stone & Chas.
Manly, Esquires.

The President submitted to the Board the propriety of proceeding forthwith to the eastern section of our State, for the purpose of taking a survey of the swamp lands & advise with the Engineer as to the measures necessary for the execution of the plans the Board have in view. Whereupon they resolved to go on tomorrow the 6th Decbr. They directed the Secretary to draw a warrant on the Pub. Treasurer for three thousand Dollars with which the President was to furnish the Engineer with funds to hire hands pay surveyors & others that might be employed in the service of said Board. The Secretary was also directed to write on for 3 copies of a "Systematic Treatise on the Theory & Practice of Draining lands." Whereupon the Board adjourned subject to the call of the President.

CHRISTOPHER C. BATTLE,
Secretary to the Board.

The State of North Carolina

To the Public Treasurer

\$3,000

Warrant for \$3,000.

Pay to C. C. Battle three thousand Dollars out of the funds placed under the control of the Board of the Literary Fund by the last Gen'l Assembly for draining swamp Lands of this State & this shall be your warrant.

EDWARD B. DUDLEY,
Pres. ex officio.

This the 5th day of December 1837.

On the day and date above mentioned I drew the amount of the warrant from the Bank—Cash..... \$1,000
Check on Branch Bank at Newbern..... 2,000

Total (Vide warrant above) \$3,000

Which amount I immediately handed over to the President. Also as directed by the Board I wrote on immediately to Edward Ruffin, Proprietor of the Farmers

Register for three copies of a Systematic Treatise on the Theory & practice of Draining lands, &c." for which I have promised to pay on the reception of said copies.

CHRISTOPHER C. BATTLE,

Raleigh Dec. 6th 1837.

Secty to the Board.

The above sum of \$3,000 was disposed of as follows as per statement of Edward B. Dudley President ex officio: How the \$3,000 was spent.

Paid to C. B. Shaw—C. Engineer quarter salary per rect. \$625.00

Deposited in the hands of the Engineer to Defray Expenses for surveying—preparatory to Draining the Swamp Lands belonging to the State as per his receipt on in the papers of the Board 300.00

Paid expenses of the Board of the Literary Fund on a visit to Hyde County to examine the Swamp Lands & direct the work preparatory for draining the same 290.34

Deposited to the credit of the Board in the Branch of the Bank of Cape Fear at Washington Beaufort County 1700.00

Total 2915.34

Balance in the hands of the President (vide page 269) 84.66

Amount to meet the check \$3000.00

CHRISTOPHER C. BATTLE,

Secretary to the Board.

Receipt copied for \$84.16 on page below 269 paid by Gov. Dudley.

WASHINGTON Decbr. 18th 1837.

\$625.00. Received of E. B. Dudley Prest. ex officio of the Literary Board six hundred & twenty five Dollars on account of my salary as Engineer of said Board.

CHAS. B. SHAW.

WASHINGTON Dec. 18th 1837.

Shaw's receipt. \$300.00. Received of E. B. Dudley President ex officio of the Literary Fund Three hundred dollars to defray expenditures of surveying &c the swamp lands in Hyde.

CHAS. B. SHAW.

WASHINGTON Beaufort County No. Ca.

December 16th A. D. 1837.

Meeting of Board
at Washington.

The Board of the Literary Fund met this day agreeably to a call of the president. Present His Ex'y E. B. Dudley Prest. ex officio, D. W. Stone, Chas. Manly & W. A. Blount Esquires.

The following resolutions were offered and adopted. Resolved that Mr. Shaw the Engineer of the Board be authorized to hire either by the month or year as he may think fit such number of laborers in his operations for surveying as he may find necessary not exceeding Ten & the certificate of Mr. Shaw in writing—stating the time of hire and the prices to be paid shall be obligatory on the Board & entitle the holder thereof to demand & receive payment from said corporation.

Resolved that said laborers when not wanted in surveying be hired out under the direction of the Engineer & the proceeds (if any) applied to the payment of their hire. There being no further business the Board adjourned.

CHRISTOPHER C. BATTLE

Secretary.

—*Ms. Records Literary Board.*

8. CITIZENS OF FAYETTEVILLE ON ECONOMIC CONDITIONS.

The undersigned citizens of the town of Fayetteville respectfully represent to the Honorable members of the General Assembly of North Carolina, that they have year after year witnessed with pain and mortification the depressed condition which each section of our State presents, when compared with that of her sisters of our happy Union, that while happiness, contentment and prosperity are manifest throughout their borders discontent, decay and ruin are strongly delineated within our own.

Depressed condition of the State.

That while their condition has not only operated to attract their people to their soil, but to attract others thither. Ours has infused extensively into our people a desire to migrate to other States, where enlightened councils have put forth their exertions to develop the resources of the State, and consequently to promote the true end of the Government, the happiness and prosperity of the People. It is not to be disguised that ours is an age of competition not only for wealth and political honor but for that necessary and indispensable foundation of each Population—Hence it is, that we see most of the old and all of the new States vying with each other in tendering inducements to the emigrant to cast his lot among them; while with us, the effort seems to be, not to hold forth motives of attraction to settlers to come among us, but by pursuing an illiberal and contracted policy to force our people, to whom North Carolina is endeared by the most sacred ties—to send them, and go forth and seek other lands, where the improved condition of society opens a wider field for the exertion of talent, industry and enterprise, and where the laborer may calculate upon an adequate compensation for his toils, is proof required to satisfy any individual that the policy hitherto pursued by our Legislature so far as regards the improvement of the internal condition of the

An illiberal and contracted policy forces people out of the State.

Tennessee has
outstripped us.

Blighting influence
of legislative policy
on subject of
internal improve-
ments.

No excuse for this
policy.

State has been destructive to the best interest of the body politic. We would barely allude to the grade which North Carolina occupies as a State compared with her standing forty years ago when she was the 3d, or 4th State in the Union, now she is the 7th or 8th State which then exhibited naught but one extended forest, now teem with a dense, happy and prosperous population; even the daughter which she gave to the Union has outstripped us in the march of population and improvement, can any of her sons who are animated by one desire to see her great and powerful,—to see her occupying that station in the Union which her territory and resources entitled her—to see her people prosperous and happy—contemplate this circumstance without emotions of sorrow and regret? It cannot be said that the God of nature has not blessed her with soil and climate with moral and physical resources, equal to the most highly favoured of her sister States. Whence therefore does the physical malady under which she labours have its origin? Is it not in the want of those channels of intercommunication which alone can make one people of her citizens, by breaking down those sectional jealousies which have heretofore marred all improvements and disappointed the best hopes of the Patriot? Your memorialists have felt and still feel blighting influence of that Legislative policy which has in place of fostering enterprise and aiding in the development of resources of the State, denied those supplies and that interest which should be the first care of Government. Let it not be said that the means are wanting. Let it not be said that the people are unwilling. Let it not be said that no practicable scheme has been presented. Let it not be said that it is an object unworthy of Legislative consideration or State patronage,—and above all, let it not be said that the State at large will not be indemnified and benefitted by putting forth her energies in aid of such works as must be considered State works, in the most limited sense of the Term

Your Memorialists feel a deep interest in the general improvement of the State, they are deeply, yea, vitally, interested in the development of the resources of a large portion of the State, particularly the Western, Southern and many of the middle counties. They know they speak the sentiments of the people of those counties as well as themselves, when they urge the necessity of a prompt and efficient action in favour of such improvements as will contribute to the prosperity of the State. Among them, your memorialists would respectfully call the attention of your body to the propriety of making a liberal subscription to the Stock of the Cape Fear and Yadkin Rail Road Company. The importance and value of this work is of such magnitude to the State, that it requires but an enquiry into the productions of the counties through which it is contemplated to construct the road, to convince the most sceptical, that the State should construct the work on its own resources, but this is not asked by those interested in the work; individual enterprise may confidently be relied upon for at least three fifths of the amount which will be required to build it. Two-fifths, therefore, is the most which the State is called upon to aid this important improvement, which is declared to be practicable by one of the ablest engineers in this or any other Country,—who has declared his willingness to become interested in the work to a large amount. That it will be profitable, you have but to refer to statistics of the several counties which accompany this memorial, to become satisfied.

Your Memorialists are of opinion that in the absence of that information which the completion of such a work would give to the public, that the simple fact that 3-5 of the stock in the company would be subscribed for by solvent individuals, ought to give strong assurance that the work is not only practicable, but that it will be profitable; and consequently, that the improvement by the State in this work of an amount equal to 2-5 of the capital stock,

Asks State to subscribe to Cape Fear and Yadkin Rail-road.

Individuals will take three-fifths of the stock.

would not only be as safe but quite as profitable as the investment of a similar amount in your Banking companies. In making an appeal to the representatives of the People of North Carolina in General Assembly in behalf of this work, your memorialists are influenced by no desire to disparage the works intended to improve the condition of the State, but with a single eye to the advancement of public good. For while they invite investigation as to the intrinsic merits of the work recommended by them, they feel the strongest confidence, that upon proper examination each member will be satisfied, that this improvement is demanded by the best interests of our beloved State.

Referred to committee.

In Senate Dec. 17, 1836. Read and referred to the Com. on Internal Improvement.

—*Unpublished Legislative Documents 1836-7.*

9. RECEIPTS, DISPOSITION AND INVESTMENT OF THE
SURPLUS REVENUE.

TREASURY OFFICE

Dec 31st 1840

To the Honble

Speaker of the Senate

Sir: In obedience to a resolution directing the "Public Treasurer to furnish a statement of the amount of surplus Revenue received from the General Government, and the disposition and investment of the same, and also a statement of the whole Literary fund specifying what portion of it has been derived from the General Government and what from other sources," the following statement is respectfully submitted.

Letter conveying
information.

Very respectfully

Your obt Servt

C L HINTON Pub Treas

Statement of the funds received by the State of North Carolina of the Surplus Revenue and the disposition and investments of the same under the acts of the General Assembly of the State.

1st Instalment received Jany 1837 in the following, viz:

Drafts of the Treas. of U. S. on Bk of the	
State N. C.	\$230,000
Do do Merchts Exchange Bk N. Y.....	55,000
Do do Leather Manufacturers	28,000
Do do Phoenix Bank	80,000
Do do Girard Bank	84,919.13
Deposited in the Bk of the State N. C.....	477,919.13

2nd Instalment received in April 1837 in
Drafts of the Treas of the U S on the same
Banks and the like amounts of the 1st Instalment

477,919.13

Of this instalment \$285,000 was deposited with the Bank of the State of N. C. and the balance of \$192,919.13 was deposited with the Bk of Cape Fear at Wilmington in the latter sum the State received a premium of one-half of 1 pr ct amounting to \$964.60.

3rd Instalment received July 1837 as follows in Drafts of the Treas of the U. S. on Bk State

of N. C.	300,000
Girard Bk Philadelphia	19,919.13
Leather Manufacturers Bk N. Y.	28,000
Phoenix Bk	80,000
Merchants Exchange	50,000
Deposited in the Bk of the State N C....	477,919.13
	\$1,433,757.39

Of the amount of surplus revenue received by the State of N. C., there was appropriated by Acts of the General Assembly

Disposition of the surplus revenue.

1st to defray the Civil and Contingent expenses of the State Government.....	100,000
2nd for the redemption of the public debt due the U. S. in trust for the Cherokee Indians created for the purpose of paying the State's subscription for the stock in the Bank of the State of N. C., which stock constitutes a part of the fund belonging to the board of Literature.....	300,000
3rd For the payment of Stock in the Bank of Cape Fear subscribed for by the Pres. & Directors of the Literary fund.....	300,000
4th For draining the Swamp Lands of the State under the direction of the Board of Literature	200,000

Of this sum \$17,971.74 has been expended, the balance loaned to individuals and companies.

5th Invested in Stock of the Wilmington and Raleigh Rail Road Company by the board of Int. Improvement.....	533,757.39
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Dolls. 1,433,757.39

FUNDS OF THE LITERARY BOARD.

Stock in the Bank of Cape Fear.....\$	532,200	Condition of the fund.
do Bank of the State N. C.....	500,000	
Notes of Individuals and Corporations....	155,943.75	
Swamp Improvements	62,829.24	
Bonds of Raleigh & Gaston Rail Road Co..	140,000.00	
do Wilmington & Raleigh do	85,000.00	
Cash on hand	78,007.06	
Cape Fear Navigation Company	37,500.00	
Roanoke do do	50,000.00	
Stock in the Wilmington Rail Road Co...	600,000.00	

\$2,241,480.05

Amount of Bank Stock paid for from the surplus	\$ 600,000
Swamp Lands	200,000
Amount stock in the Wilmington & Raleigh Railroad	533,757.39

\$1,333,757.39

TREASURY DEPARTMENT OF N. C.,

17th Dec., '44.

Sir: As required by the resolution of the Senate of yesterday, I have the honor to report that the amount of money deposited with North Carolina by the General Government under the deposit act of Congress of 1836 was

Another statement.

*\$1,433,757.39

†and this sum was thus disposed of,

For redemption of State Stock in Bank of

Cape Fear	300,000.00
Literary Fund	200,000.00
Internal Improvement Fund	533,757.39
Public Fund	100,000.00

\$1,433,757.39

The distributive share of North Carolina by sd act, is stated on the books of this office to be.....\$477,919.39

Respectfully submitted,

JNO. H. WHEELER,

Pub. Treasurer.

Hon. the Speaker of the Senate.

—*Legislative Documents, 1844-45.*

*See Governor Dudley's message of 1838. Treasurer's report of 1838.

† Acts of 1837.

10. EDUCATIONAL CONDITIONS 1836.

As a State, we stand fifth in population, first in climate, Depressed condition generally. equal in soil, minerals and ores, with superior advantages for manufacturing and with a hardy, industrious and economical people. Yet, with such unequalled natural facilities, we are actually least in the scale of relative wealth and enterprize, and our condition daily becoming worse—lands depressed in price, fallow and deserted—manufacturing advantages unimproved—our stores of mineral wealth undisturbed, and our Colleges and Schools languishing from neglect. Schools and colleges languishing. It is a true, but melancholy picture, and it is our business to prescribe the remedy. In the want of capital and of that generous confidence which should exist between the government and the people, mutually to assist and support each other, I think I find the Remedy proposed. evil, and the corrective is palpable. Increase your circulating medium, give to industry and enterprize their proper incentives, and make interest the connecting tie between ourselves and our constituents and we at once seize hold of their confidence and affections and arrest the torrent of emigration which is desolating our State.

—*From Edward B. Dudley's Inaugural Address to Assembly, Jan. 1, 1837, Raleigh Register, Jan. 3, 1837.*

11. REPORT OF COMMITTEE ON SURPLUS REVENUE.

Committee of
twenty-six.

The Joint Select Committee of twenty-six, who were appointed to inquire into the best investment of that portion of the Surplus Revenue which will be received by North Carolina, under the provisions of the deposite act of the last session of Congress, and to whom were referred various propositions relative to such investments by both Houses of the General Assembly, have attentively considered the same; and

REPORT,

Surplus revenue a
loan to the State.

That the thirteenth section of the act of Congress "to regulate the deposites of the public money," declares, in substance, that such deposites, in the Treasury of the different States, shall be by way of loan, and not as absolute gifts. This provision, your Committee believe, should not be wholly overlooked by the General Assembly, in any disposition it may make of that portion of the public Treasury which is allotted to this State. They are persuaded, nevertheless, that it should be considered and treated as a loan, of a most liberal character, which the State may never be required to repay; and which, it would be most unreasonable to suppose, will be demanded by any exigency of the Federal Treasury for many years to come. Viewed in this aspect, it is a talent committed to the Legislature, for the proper use of which, its members will be justly held accountable to their constituents and country; unless, in their hands, it shall be made productive of great and lasting benefits to the people. How can it be most advantageously applied to the accomplishment of such ends, your committee have experienced much difficulty in determining. The wisdom of statesmen in former times and in other countries, has been exhibited in devising schemes for raising the revenues actually necessary for the real or imaginary wants of Government; and so novel is the spec-

should be wisely
used.

tacle of a people, not only freed from debt, but with an income vastly exceeding the necessities of Government, the excess of which it is desired to invest for public benefit, that but little light on the subject of this reference, can be derived from the history of the past.

Among the numerous plans of investment referred to them, your Committee first considered the proposition of certain banking and canal companies in New York and New Jersey, to borrow the fund due to this State, and are unanimous in the opinion, that these propositions should not be accepted. The great advantage to the States, which were contemplated by the passage of the deposit act, consisted not in the receipts of interest on the sums entrusted to them, but in the renewed life and vigor which would be imparted to their industry and enterprise—their physical & mental improvement, by adding so much to their active capital within their limits. Every thousand dollars of such deposits, if used as active capital, will furnish employment to one thousand dollars worth of industry in the country where it is used. That encouragement should be given to the industry of the citizens of our own State, in preference to those of other States, so far as it can be done with the public funds, under the control of the Legislature; and that this may be done even without a diminution of the annual profits on such funds, if invested abroad, your committee suppose, can hardly admit of question. They take this occasion to remark, that in their opinion, no one cause has militated so much against the prosperity of North Carolina, as the drain upon her capital and productive labor, which has been in progress for a series of years, and which has been much accelerated within a short time. To say nothing of our contributions to the Federal Government, but a pittance of which has ever been expended within our limits; the large sums of money which are periodically sent to the North to seek permanent employment in stocks, merchandize, city property, and otherwise; and

How the surplus
should be used.

Our money goes to
other sections.

to the South and South-West, to be laid out in lands and slaves, have had a like disastrous effect upon her condition, though not to the same ruinous extent, with the absenteeism of the landed proprietors of Ireland, so much complained of in that country. By a judicious use of the means now in our hands, this course of impoverishment may, in some degree, be arrested; and the ardent and enterprising of our own people, may find at home, a field for their zeal and energy.

Another objection to such loans is, that the proposed borrowers are not under the control of our Legislature, nor amenable to the jurisdiction of our courts. Your committee believe that the boon conferred by the act of Congress, was poorly worthy of our acceptance, if its only effect shall be to make North Carolina a surety to the Federal Treasury for the Banks of other States, she receiving for such insurance, only the interest on the sum thus secured, while all the advantages of the use of this vast treasure, are to be enjoyed by the citizens of other States.

None of the money
ought to be used
to pay ordinary
expenses of State.

Your Committee are also of opinion, that no portion of the public deposits should be applied in aid of the ordinary revenues, either for the support of the State Government, or for county purposes. The ordinary taxes levied for these uses, are far from being burthensome to the people; and by a proper adjustment of the valuation of taxable property, will yield a sum quite as great as ought to be desired. It should, moreover, be borne in mind, that those Governments have been distinguished by the greatest purity of administration, and have longest preserved the blessings of liberty, in which the governing power, no matter how constituted, has been dependent for its support, on annual pecuniary levies from the people. To exhaust the surplus revenue in maintaining the current expenses of Government, or to fritter it away, by a division among the several counties, to replenish their treasuries, in the manner proposed by a bill referred by the House of Commons.

would be not only to compromise the dignity of the State, but to interrupt, for a time, only, the regular operation of the system of State taxation, and to disappoint the just expectations of our constituents. Your Committee, therefore, return said bill to the House, and recommend its rejection.

Your Committee have also been instructed to inquire No money for State Bank. into the propriety of devoting the fund in question, to the establishment of a new Bank, to be owned wholly by the State. A portion of them are confident in the belief, that the establishment of such an institution, would contravene the provision of the Constitution of the United States, which declares that "no State shall emit bills of credit:" & which they are informed, has been judicially expounded, to extend to any paper medium issued by a State, for the purposes of common circulation. Independently of the arguments against the expediency of such a bank, which have been often argued in the discussions of this subject heretofore, your Committee believe that no financial skill could successfully manage a Bank founded entirely on borrowed capital, demandable in certain proportions, at the pleasure of the lender; which must regulate its business according to the necessities of the Federal Government; the fluctuations of party politics—the appropriations made by Congress; and even the movements of individuals of that body, from motives either partizan or patriotic.

The only remaining objects of appropriation, to which the attention of your Committee have been called by the Common schools and internal improvements. direction of the Legislature, are Common Schools and Internal Improvements. These, your committee recognize as first in importance among all the objects which now claim the patronage of the public; and but for the fiduciary character of the means in their possession, they would meet less difficulty in dedicating the whole fund immediately and irrevocably to these purposes. They, however, propose to devote it to them; while at the same time, it

shall be so invested for the present, as to be capable of recall without great inconvenience, should the State be required to refund any part of the loan. They are aware that public opinion is divided on the question, whether general education, or the improvement of the means of transportation, should be first patronized. Some of your committee were inclined to the opinion, that the whole should be expended on Internal Improvements; in the belief, that opening new avenues to wealth, which are accessible to all classes of the community, would diffuse the means and the disposition for education to an extent almost equal to a direct appropriation for public schools—others, on the contrary, insist on claiming the whole as a school fund, as the only mode in which it can be made to benefit equally the whole population. In deference to this conflict of opinion, your committee have been induced to recommend that our whole share of the surplus revenue, shall be devoted equally to popular Education and Internal improvements; that, that part which is appropriated to education, shall be added to the “fund for common schools” now existing; shall be invested for accumulation in Bank stock, by increasing the capital stock of the Bank of Cape Fear, to one million five hundred thousand dollars; in which there shall be subscribed, of the school fund before mentioned, four hundred thousand dollars; and by increasing the capital stock of the Bank of the State of North-Carolina to two millions of dollars, by a subscription of the school fund aforesaid, for five thousand shares in said Bank. Your committee are fully sensible of the dangers to be apprehended from an excess of banking capital; and have only consented to this mode of investment, because of a general prevalence of the opinion, that our present capital is too small. They propose, however, to remedy the inconvenience of excess, should one occur, by a provision in the amended charters for the reduction of the capital stocks of both the Banks, if it shall be found too great for the

real demands of business. They also believe that this disposition of the addition to the school fund can be much more economically and profitably made in the banks already in existence and in full operation, than in one owned exclusively by the State; not to mention the objections already urged to an institution of the latter character. In all monied transactions, your committee suggests, that experience has generally proved, that individuals having an interest in the adventure, have realized greater profits than mere agents. The proposed investments in Bank may be made without any expense to the school fund, except its proportion of the compensation paid to the officers of the Banks. The President and Directors of the Literary fund, by the act of the General Assembly of 1825, will receive the dividends on the shares of that fund, and re-invest them for further increase.

The residue of the public deposits, (which is estimated at nine hundred thousand dollars) your committee recommend to be added to the fund for Internal Improvements, and be placed under the control of the Board of Internal Improvements. That they shall proceed to loan out the same upon the terms prescribed in the bill herewith reported—that a preference shall be given in making such loans to companies engaged in constructing works for the improvement of the means of internal transportation; but that no company shall be allowed to borrow to an amount greater than one half of its capital stock actually subscribed by solvent subscribers; and that satisfactory security, either real or personal, to be judged of by the said Board, shall, in all cases, be given by the borrowers. The President and Directors of the Board of Internal Improvements, are directed, whenever interest shall be received thereon, to make new loans, so as to keep the fund in a course of active accumulation. The President and Directors of the Board of Internal Improvements, have a corporate existence by the act of the General Assembly of

1819, and consist of the Governor, Treasurer, and an agent of public works, appointed by the Legislature, no one of whom receives any compensation for this service, except the last; who is entitled to pay for the time actually spent by him in public employment.

Your committee believe that it will be in the power of the Board greatly to facilitate the works of Internal Improvements, by the adoption of the plan proposed; while, at the same time, the fund of the State will accumulate for future use. The regular business of banking, requires such speedy returns of their loans, that neither Rail Road, Canal, nor Manufacturing Companies, can obtain from them, the accommodations necessary for contracting their works. Whereas, the disposition of the fund for Internal Improvements therein recommended, by affording longer time for payment, than is allowed by legitimate Banking operations, will give to them all due encouragement. Your committee have deemed advisable that this whole fund should be placed under the control of the Board of Internal Improvements, rather than that the loans should be made by the Legislature, for the reason that but few corporations for purposes of Internal Improvements are, as yet, in operation in this State; and they desire that the accommodations which may be furnished by the Bill before mentioned, shall be extended, whenever its terms are complied with. As the corporations which may be chartered at this session, will not be organized; and their characters for solvency will be, of course, unknown until after the adjournment, it is deemed to be expedient for the General Assembly to designate those to which aid shall be given, or how far it shall extend.

Your committee know full well, that many of our constituents had expected bolder measures on the subject of Internal Improvement, or of public education; or of both, than they have recommended—the fond hopes that have

been cherished by patriots in every quarter, that the State would immediately be blessed with the full fruition of those advantages for which they may now suppose that but a tardy preparation is about to be made. When, however, it is recollected, that much, as the subject has been agitated, even at this day, public opinion has not settled down on any great work of Internal Improvement, to which the public treasure should first be devoted—that no plan of common schools has yet been devised, which is capable of practical execution in every part of the State; when, moreover, it is remembered, that it is as yet uncertain whether the policy of distributing the excess of the Federal Revenue among the States, will be repeated; and if continued, whether it will be, by way of loan, or in absolute property; your committee presume, that the present Legislature will, in some degree, deserve the gratitude of their country, if they shall so appropriate the fund confided to her, as to deepen and widen those foundations on which others may erect the superstructure of her happiness and prosperity. To carry into effect the plans herein proposed, they present the Bills marked No. 1, 2, 3, and recommend that they be passed into laws.

Respectfully submitted,

WILLIAM A. GRAHAM,
Chairman Pro Tem.

January 2, 1837.

—*Raleigh Register*, Jan. 17, 1837.

1838-39

1. POPULAR EDUCATION: A SERMON.
2. THE LEGISLATURE OUGHT TO ESTABLISH SCHOOLS.
3. GOV. DUDLEY'S MESSAGE ON EDUCATION.
4. ASSEMBLY COMMITTEES ON LITERARY FUND AND EDUCATION.
5. ASSEMBLY RESOLUTIONS ON EDUCATION.
6. REPORT OF LITERARY BOARD ON COMMON SCHOOLS.
7. REPORT ON LITERARY FUND.
8. REPORT OF COMMITTEE ON EDUCATION.
9. MR. CHERRY'S ORIGINAL BILL.
10. MR. HILL'S ORIGINAL BILL.
11. HOUSE BILL REPORTED FROM COMMITTEE OF THE WHOLE.
12. CONFERENCE BILL AND CONFERENCE REPORT.
13. NEWSPAPER COMMENT ON SCHOOL BILLS.
14. THE EDUCATIONAL CAMPAIGN 1839.
15. MEMBERS LEGISLATURE BY COUNTIES.
16. LITERARY BOARD 1827-1839.
17. PROCEEDINGS OF LITERARY BOARD 1838 AND 1839.

1. POPULAR EDUCATION: A SERMON.

[Extract from a sermon delivered by the Rev. A. J. Leavenworth,
Charlotte, N. C., July 4, 1838.]

Less than two-thirds of our states and territories enjoy at this time, the advantages of a Common School system. Pennsylvania being included among the number thus favored, probably educates more than an average proportion of its youth compared with the whole United States. But there are in that State, according to an official document 250,000 children between five and fifteen years of age who never see the inside of a school house; and if we may take this as the standard of computation, there are in our boasted land not less than two million and a half of children entirely destitute of Common School instruction; these are the future elements of society. When thirty years are gone, if we shall live and have a country, they will choose its rulers and shape its laws, and keep the keys of its treasury; they will fill the jury box, and command the military, and say who may enjoy the fruits of his own farm, or worship God according to his own conscience, or live in his own house, or wear his own head.

Less than two-thirds of States have common schools.

There are 250,000 children in Pennsylvania who do not attend the common schools.

There are 2,500,000 children in the United States who are not receiving education.

Results of such indifference.

Does any one suppose that our own state can profit by a comparison with that of Pennsylvania in this respect? with less than two-fifths of the white population of that state, we have probably 120 thousand children between the ages of five and fifteen years, who are destitute of a common school education. In some parts of the State, many large families are found, not one of whom, parents or children, can read their alphabet; and in others, whole neighbourhoods of forty and fifty families exist, among whom but few individuals can read their Bible. A Postmaster in one of our counties, after careful investigation, says that within three miles of my residence, "in the bounds of a Captain's company, there are 24 families, and about one-half of the parents can read; 48 males between

There are 120,000 children in North Carolina (5 to 15) destitute of a common school education.

Illiteracy in North Carolina.

the ages of six and eighteen, thirty eight of whom cannot read; 44 females between the ages of six and eighteen, forty-two of whom cannot read. This shows that only one in five of the males of this age can read, and one in twenty-two of the females."

Responsibility of educating future generation rests upon each individual and the Legislature.

Is it not then, a question for the people of this nation to ask, What are we doing to give to successive generations the means of education? What as individuals, or in a legislative capacity, are we of this commonwealth doing? We have a nominal literary fund for this purpose of some millions of dollars. But who can tell its practical bearings upon the cause? Who is employed to investigate the necessities of the people—to take the gauge of prevailing ignorance, and to count up the thousands of our youth already enrolled in the schools of vice? Thanks for the tardy promise of propitious action at the last session of our Legislature. May their plans mature and prosper and redeem the land. At the expense of half a million dollars, we have lately reared a Capitol of great beauty and grandeur, which, it is said, does distinguished honor to the State. But if North Carolina completes that noble edifice at such expense, while one hundred and twenty thousand of her children are unprovided with the means of acquiring the first principles of an education, in the considerate judgment of posterity, it will reflect upon her a discredit which time will not easily efface. Egypt, too, built her labyrinths, her mausoleums, and her obelisks, which are yet the admiration of the world. But while she slumbered in the arms of luxury, the perfidious hand of corruption, like the ancient Delilah, severed the locks of her strength, and she awakened to see that her glory had departed from her. When she needed them no more, Greece borrowed her pyramids; and now their crumbling remains, in that empire, in her turn subverted by the same fatal power are a monument to the world of the illustrious truth, that *intelligence and virtue are the brightest glory and the only effectual safeguard of a free people.*

Capitol building erected but children left without means of education.

Intelligence and virtue the only safeguard of a free people.

May gracious heaven forbid that the columns and the dome of our Capitol should outlast the laws and the liberties which they were reared to defend! For the honor of my adopted mother, whose institutions I cherish and revere, I hope that the sound of the hammer and the chisel may not cease to be heard upon these unfinished walls until there shall be firmly planted among us a system of common school education,—until there shall be opened a perennial fountain which shall send streams of useful knowledge from the mountains to the oceans visiting in their progress every hamlet within our borders.

Let the means of education be established from the mountains to the sea.

—*Turner and Hughes Almanac, 1839.*

2. THE LEGISLATURE OUGHT TO ESTABLISH SCHOOLS.

Legislature should establish schools.

Objections answered.

Prejudice against free schools.

A tax for schools; Massachusetts plan commended.

John Quincy Adams' son attends a free school.

We know of no business of very great importance that will be acted on by this body at the coming session, but we could suggest one measure to their attention, which we consider as of absorbing interest to the State, and that is a liberal system of Public Schools. While other States are endeavoring to foster Free Schools, by raising a fund annually by taxes and public subscription and establishing institutions for the educating of all classes, North Carolina is far behind many of them. Some may be disposed to say that this State is not able to do much at this time towards the establishment of a permanent system of Public Schools and that we had better wait until some more favorable opportunity. Even admitting that this objection is a good one, which we do not, we say that as it is intended at some future day to adopt the system the sooner it is commenced the better, and North Carolina, in our opinion, is plenty able to make a start in the business, for if we wait until all things are ready it will never be commenced. We are aware of the prejudice entertained by some to have their children educated in a "free school," preferring them to remain in ignorance rather than have them educated at the public expense. But we think this objection might be obviated in a great measure, by adopting the plan of Common Schools practised in Massachusetts and perhaps in some other States—the State being laid off into School Districts a fund is raised for their support by a public tax and private subscription—in these schools the children of the poor are placed on the same footing with the rich, thus removing the invidious distinction too common in most schools, and both have the same facilities afforded them for acquiring knowledge. We recollect the account published sometime ago of the surprise felt by a Southern gentleman, who was visiting one of these in Boston, at finding the son of John Q. Adams receiving instruction in one of them, among the sons of his less fortunate neighbors.

Massachusetts is alive to the necessity and importance of educating her children, and in straining every nerve to carry it to perfection. How long will North Carolina be careless of her most vital interests. The preservation of our happy institutions calls for a different course than the one she has been pursuing already too long.

—*Copied from Western Carolinian.*

—*Raleigh Register, Nov. 19, 1838.*

3. GOV. DUDLEY'S MESSAGE ON EDUCATION.

Amount of Literary Fund.

The important subject of Common Schools was intrusted to the board, that they might suggest some system applicable to the crying wants of the State, and they have given it most anxious consideration. A variety of laws and systems have been politely furnished by the governors of the states, to aid in the prosecution of this work. The result will also be communicated in season. A considerable fund has been set apart for this purpose. In bank stock, \$1,020,700. In railroad stock, \$600,000 as soon as the last installment of the State's subscription has been paid. Of the surplus—\$200,000 for draining swamp lands; \$61,654.11 in cash and notes on hand; \$33,500 stock Cape Fear Navigation Company, making the sum of \$1,939,851.11, besides the income arising from entries of land, license to retailers of spirituous liquors, and to auctioneers; and the swamp lands not granted to individuals before 1836, which will probably yield an income of \$120,000 to \$150,000 per annum, and would seem to warrant a commencement of the system, which indeed is all that is at present required or practicable.

Estimated Income.

Scarcity of teachers

The State is utterly deficient in statistics from which to draw accurate information, not only upon this but upon all other subjects. I am very certain however that teachers could not be procured for any extensive system, and as a deficiency of this class of useful individuals is a matter of complaint and regret to the oldest and best educated States of the Union, we could not draw them thence if desirable. We should adopt, in the first place, some plan of remedy for this evil. Two modes have presented themselves—either the establishment of a school in some central position for the education of teachers, or an arrangement with the university by which such youth should be instructed free of charge, as would agree to devote themselves as school masters to the State for a term of years.

Education of teachers.

The employment of a permanent commissioner to super-^{Superintendent of}
intend this branch of the service, will probably be neces-^{schools.}
sary. He may be employed for the present in obtaining
all the information in the State and elsewhere necessary
to proceeding with skill and effect.

—*House Journal, 1838, pages 295-96.*

4. ASSEMBLY COMMITTEES ON EDUCATION.

House.

Whitmel Stallings, Gates; M. A. Wilcox, Halifax; John C. Gorham, Pitt; L. A. Gwynn, Caswell; Green W. Caldwell, Mecklenburg; Edward J. Erwin, Burke; William B. Wadsworth, Craven; J. T. Miller, New Hanover; Wm. W. Peden, Wilkes; Duncan McLaurin, Richmond; Dempsey B. Massey, Wake; W. D. Crawford, Rowan; R. C. Puryear, Surry.

—*Journal of House of Commons, 1838-39, p. 257.*

Senate.

Messrs. William W. Cherry, of Bertie; William B. Shephard, of Pasquotank and Perquimans; Samuel S. Biddle, of Craven; H. G. Spruill, of Washington and Tyrrell; Samuel L. Arrington, of Nash; Thomas Bunting, of Sampson; and David S. Reid, of Rockingham.

—*Senate Journal, 1838-39, p. 39.*

Joint committee
on education.

Thursday, December 6, 1838.—A message from the Senate, proposing that the standing committees of both Houses on Education and the Literary Fund, be constituted a joint select committee. The proposition was concurred in.

—*Journal House of Commons, 1838-39, p. 375.*

5. ASSEMBLY RESOLUTIONS ON EDUCATION.

Saturday, December 1, 1838.—Mr. Williams¹ (of Beaufort and Hyde) presented the following resolution, to wit: Inquiry into expediency of establishing schools in the counties.

Resolved, That the committee on Education and the Literary Fund be instructed to inquire into the expediency of establishing Free Schools in each and every county in the State, and report by bill or otherwise. Which was read and adopted.

—*Senate Journal*, 1838-39, p. 56.

¹ J. O'K. Williams.

Monday, December 3, 1838.—Mr. Moody* presented the following resolution, to wit: Papers relating to schools requested of Governor.

Resolved, That a committee be appointed to wait upon his Excellency the Governor, requesting him to lay before the Legislature, at as early a day as convenient, the resolution of the last Legislature, and all papers relative to Free Schools in the State.

Which was read and adopted.

—*Senate Journal*, 1838-39, p. 59.

* William Moody, of Northampton county.

Tuesday, Dec. 4, 1838.—The Speaker¹ announced to the Senate, that Messrs. Moody and Reinhardt² form the committee to wait on his Excellency the Governor, to obtain papers relating to common schools. Committee to secure papers relating to schools.

—*Senate Journal*, 1838-39, p. 67.

¹ Andrew Joyner, of Halifax.

² Michael Reinhardt, of Lincoln.

Report of committee relating to papers about schools.

Mr. Moody, from the select committee appointed to wait upon his Excellency the Governor to obtain papers relating to Free Schools, reported that he was authorized to say that all the papers relative thereto have been transmitted to the House of Commons; which was read and concurred in.

—*Senate Journal*, 1838-39, p. 71.

Dockery resolution about schools.

Thursday, December 6, 1838.—Mr. Dockery presented the following preamble and Resolution, to wit:

Benefits of education upon the masses.

Whereas the Constitution of this State makes it the duty of the Legislature to establish schools for the education of the people; and whereas a faithful compliance with the said requisition of the Constitution, is calculated to perpetuate the blessings of a free government to posterity, since all such governments must mainly depend upon the intelligence and virtue of the mass of the people, who are the rightful source of all political power; and whereas this State has now a large fund known as the Literary Fund, set apart by former Legislatures for the purpose of diffusing information among the people.

Inquiry into the wisdom of spending income of Literary Fund, to be distributed according to federal population, in education of indigent youth.

Resolved, therefore, That the Committee on Education and the Literary Fund, be instructed to inquire into the expediency of distributing the interest of said fund among the several counties of this State, in proportion to their federal population, to be applied to the purposes of educating the indigent Youth of the State, subject to the control, direction and supervision of a Literary Board, to be created by the County Court of each respective county: and that they have leave to report by bill or otherwise.

Income to be spent under direction of Literary Board.

Which was read and adopted.

—*Senate Journal*, 1838-39, p. 78.

Friday, December 7, 1838.—Mr. Spruill* presented the following resolution, to wit:

Resolved, That the Committee on Education and the Literary Fund be instructed to inquire into the expediency of establishing the following system of Public Schools in this State:

At the first County Court which may happen in each and every county in this State, after the first day of January, 1840, it shall be the duty of the said Courts to lay off their several counties into School Districts. The Courts shall appoint a Constable in each district, whose duty it shall be to open polls and hold an election on a given day in his district; that every man entitled to vote for members of the House of Commons shall be entitled to vote. The vote shall be "school" or "no school."

It shall be the duty of the Constable to make returns of said election to the next County Court; and in every district where a majority of the votes had been cast for "school," the court shall appoint five discreet persons as a School Committee.

The said Committee shall procure a school house, and agree upon the wages of the teacher.

The said Committee shall levy a tax on the lands and polls of the district to one half the amount of the sum necessary to pay the teacher; and the Court shall certify the same to the Public Treasurer, who shall pay the other half out of any money in the Treasury belonging to the Literary Fund.

In every district where, by the votes, the School System was not adopted, the Court shall order an election once in every year.

Which was read and adopted.

—*Senate Journal, 1838-39, p. 80.*

* H. G. Spruill, of Fourth Senatorial District, composed of Washington and Tyrrell counties.

Summary of the resolution.

COMMENT OF THE RALEIGH REGISTER.—In the Senate, on Thursday, on motion of Mr. Dockery, the Committee on Education were instructed to inquire into the expediency of distributing the interest on the Literary Fund among the several counties, for the purpose of educating indigent youth, subject to the control of a Literary Board to be created by the County Court of each county; and on Friday, another plan was submitted to the same Committee, on motion of Mr. Spruill, providing that the County Courts shall lay off their respective Counties into School districts, and have an election held in each district, to ascertain the sense of the people; and in every district voting in favor of a School, the Court shall appoint a School Committee to procure a House and Teacher, and levy a tax on the lands and polls of the district to defray one half of the expense, the other half of which to be paid out of the Literary Fund.

Schools of the North have given it the ascendancy.

North Carolina has an Education Fund, large enough certainly, to warrant a beginning towards the establishment of a system of Free Schools; and we hope soon to see the “entering wedge.” The School Houses of the North have infused a spirit of enterprize, and given them prosperity and a controlling station in the Union; for what are natural facilities, unless there is *mind* to take advantage of them? Blow out the light of these institutions—let darkness rest upon these buildings—and they would soon grope their way to the savage state. Shut the School-house door, and Agriculture is forgotten, Manufactures cease and Commerce stops.

Education as a civilizing influence.

—*Raleigh Register*, Dec. 10, 1838.

Memorial on female education.

Tuesday, Dec. 25, 1838.—Mr. Cherry presented the memorial of Susan D. Nye Hutchison on the subject of Female Education; which was, on his motion, ordered to be referred to the Committee on Education.

—*Senate Journal*, 1838-39, p. 148.

[I have not been able to find a copy of this memorial. C. L. C.]

Saturday, Jan. 5, 1839.—Mr. Gilliam¹ introduced the following Resolution:

Resolved, That the Secretary of State be directed to have printed a Report on Elementary Public Instruction in Europe, by G. E. Stowe, ten copies for the use of each member of the General Assembly; and that the same be distributed with the Acts and Journals of this session.

Stowe report on elementary instruction in Europe to be printed.

The said resolution was read and adopted, and ordered to be engrossed.

—*Journal House of Commons, 1838-39, p. 536.*

¹ Robert B. Gilliam, of Granville.

Monday, January 7, 1839.—The engrossed resolution on Public Instruction was taken up and read the first and second times, and, on motion of Mr. Taylor, amended and passed. The resolution was then read the third time and passed, and ordered to be enrolled.

—*Senate Journal, 1838-39, p. 231.*

Monday, Jan. 7, 1839.—A message from the Senate, informing that they have passed the engrossed "Resolutions on Public Instruction," with sundry amendments, and asking the concurrence of this House. The amendments were read and concurred in, with an additional amendment superadded, in which the concurrence of the Senate is asked.¹

—*Journal House of Commons, 1838-39, p. 542.*

¹ Gilliam's resolution.

A message from the Senate, concurring in the amendments made by this House to the engrossed Resolution on Public Instruction.

—*Journal House of Commons, 1838-39, p. 543.*

6. REPORT OF LITERARY BOARD ON COMMON SCHOOLS.

Title page of report.

A REPORT
of
THE PRESIDENT AND DIRECTORS¹
of the
LITERARY FUND OF NORTH CAROLINA
On the Subject of
COMMON SCHOOLS,
November, 1838.

¹ The Literary Board, which made this report, was composed of the following: Governor Edward B. Dudley, William A. Blount, of Beaufort; David W. Stone, of Wake, and Charles Manly, of Wake. William A. Blount took the place of Ebenezer Pettigrew, of Tyrrell, on May 30, 1837.

Wednesday, December 5, 1838.—Received from his Excellency the Governor by his private Secretary, a communication transmitting the report of the President and Directors of the Literary Fund of North Carolina. The report was read, and on motion of Mr. Hill,

Ordered, That it be sent to the Senate, together with the documents accompanying, with a proposition to print nine copies for each member, of the document exhibiting a plan or system of Common Schools; and one copy for each member, of the Engineer Mr. Shaw's second report; and to refer the whole communication to a joint select committee of six on the part of each house. On the question to print ten copies of the Report on Common Schools for each member, Mr. Cardwell called for the yeas and nays, and the vote was yeas 80, nays 29.

—*Journal House of Commons, 1838-39, p. 365.*

Friday, December 7, 1838.—Received from the House of Commons a message, therewith transmitting to the Senate the message of his Excellency the Governor, with the report of the Literary Board, and other documents which they propose to refer to a joint select committee consisting of six on the part of each House; and further propose to print the whole, with the exception of C. B. Shaw's first report, one copy for each member of the General Assembly; and they also propose to print the report on Common Schools, *nine* copies for each member of the General Assembly; which was read, and, on motion of Mr. Wilson, ordered to be laid on the table.

—*Senate Journal, 1838-39, p. 79.*

Friday, December 7, 1838.—Received from his Excellency the Governor, by his Private Secretary, a message recommending the consolidation of the two Boards directing the Internal Improvement and Literary Fund of the State, and communicating also the report of the President

and Directors of the Internal Improvement Board, together with sundry documents connected therewith. On motion, *Ordered*, that the same be transmitted to the Senate, with a proposition that the message of the Governor and the report of the Board be printed.

Report of Literary Board referred to Committee on Education and Literary Fund.

A message from the Senate, informing that they do not concur in the proposition of this House to refer the Report of the President and Directors of the Literary Fund, with the message of His Excellency the Governor accompanying the same to a Joint Select Committee, and proposing that they be referred to a Joint Select Committee on Education and the Literary Fund. This proposition of the Senate was concurred in.

—*Journal House of Commons, 1838-39, p. 382.*

Saturday, December 8, 1838.—Received from the House of Commons a message, concurring in the proposition of the Senate that the Standing Committees of both Houses on Education be constituted a Joint Select Committee.

On motion of Mr. Taylor¹, the message from the House of Commons relative to the report of the Literary Board and other documents, heretofore laid on the table, was taken up for consideration, and read, and the first branch of the proposition, to wit, to refer to a joint select committee consisting of six on the part of each House, was not agreed to; the second and third propositions were read and concurred in. Whereupon, on motion of Mr. Spruill,

Ordered, That a message be sent to the House of Commons proposing to refer the Report of the Literary Board and other documents to the Joint Select Committee on Education and the Literary Fund.

—*Senate Journal, 1838-39, p. 87.*

¹ John C. Taylor, of Granville.

Monday, December 10, 1838.—A message from the Senate, agreeing to print the Report of the President and Directors of the Literary Fund and certain documents accompanying, as proposed by this House.

Report to be printed.

—*Journal House of Commons, 1838-39, p. 385.*

Tuesday, December 11, 1838.—Mr. McWilliams¹ presented the following resolution:

Resolved, That the resolution of this House, ordering the printing of ten copies of the report of the President and Directors of the Literary Fund, on the subject of Common Schools for each member, be, and the same is hereby rescinded.

Effort to prevent printing report fails.

Resolved further, That a message be sent to the Senate, requesting their concurrence with this House in the above resolution.

The resolution was read and rejected.

—*Journal of House of Commons, 1838-39, p. 389.*

¹ John McWilliams, of Beaufort.

THE REPORT.

A Resolution adopted at the last session of the Legislature made it the duty of the President and Directors of the Literary Fund to digest a plan for Common Schools suited to the condition and resources of the State, and to report the same for the consideration of the present General Assembly.

Why report was made.

The Board have given to this subject attentive and anxious consideration, and taken pains to procure all the information within their reach, which seemed essential to enlightened legislation. On the . . . day of . . . last, the President under the direction of the Board, transmitted a circular to the Governor of each State in the Union, requesting copies of all legislative acts and other official

Systems of other States examined.

Documents in relation to Common Schools, either in existence or contemplation. This communication received the favorable and general attention which the interesting subject to which it relates was too well calculated to excite, and the Board have thus been enabled to present to the General Assembly many publications of great interest and value.

Information about educational conditions in North Carolina lacking.

They regret to be compelled to state in connexion with this topic that the efforts to procure still more important information, with respect to the actual state of education in North Carolina, have been much less successful, and that no means at their command will enable them to obtain such facts as are indispensable to the proper discharge of the duty required at their hands.

Murphey's reports.

Kinney and Caldwell letters.

The reports to the Senate in 1816 and 1817, by the late Judge Murphey, the letter of Charles R. Kinney, Esq., communicated to the General Assembly by Gen. Owen in 1828, and the letters of the late President Caldwell originally published in the newspapers and republished in pamphlet form in 1832 have been procured not without difficulty. They contain many valuable suggestions, and will well reward the labor of the most careful examination, but they are all eminently wanting in that which individual effort is competent to supply—the precise and minute statement of facts by which alone the accuracy of their theories can be tested.

Murphey's memoir of 1819.

The Memoir on the subject of internal improvements and on the resources and finances of the State published by Judge Murphey in 1819 is the first and only essay that has been made towards the compilation of a system of statistics, almost as indispensable to intelligent legislation, on the leading interests of the State, as a well arranged Account Book to the proper management of individual affairs.

Legislature responsible for meager knowledge of educational conditions.

If it shall be objected to this Report, that like all others which have preceded it, it abounds in hypothesis and theory, the General Assembly will not be disposed to censure

too harshly, the most manifest defect, when it is apparent that none others than themselves are competent to afford a remedy. The Memoir of Judge Murphey, above referred to, comprised much valuable information, of great interest, at the date of its publication, and constituted the proudest monument to his memory. On the subject of education however, it did not profess to enter into details, and the lapse of nineteen years has wrought greater changes in the character and condition of the State, than would be likely to occur to an ordinary observer. Since that time no addition has been made to the meagre amount of statistical knowledge. There is no publication extant, no individual in existence, that can afford any satisfactory information with respect to the number of Common Schools in the State, much less the number of pupils, the mode of instruction, the condition of school houses, the character and qualifications of the instructors. Indeed it is doubted whether there is any one competent to meet these inquiries with regard to a single county, certainly there is none without the legislative body, and yet all this and much more is not merely desirable and necessary, but indispensable to the great purposes contemplated by the Resolution requiring this Report. Of the number, resources, and condition of our academies something more and yet very little is known. Even the history of the University is as yet unwritten, the subject has been ascertained to be obscure by those best acquainted with it, and though the Institution bears the name of the State and has been proudly denominated "the child of the Constitution," its precise situation and resources, the mode of instruction, government and police, the effect which it has heretofore had and is likely to have hereafter on the morals, intelligence and character of the State, are less familiarly known than they should be, even to the constituted authorities of the Country.

The Board have no apology to offer for the introduction of these remarks. They believe there are none more de-

voted than they to the best interests of their native State, and they would regard themselves as recreant to the highest obligations of patriotism, if under the influence of false pride, or the disposition to pander to public vanity they should suppress any truth, which the public interest required to be promulgated.

The inability of the Board to obtain the full and accurate knowledge indispensable to a compliance with the command of the General Assembly, to digest a plan for common schools "suited to the condition and resources of the State" will constitute the most appropriate apology for the partial and defective statements which will be offered in regard to them.

Population and
area of State.

North Carolina extends over an area of 50,000 square miles, 32,000,000 acres. In 1830 her population consisted of 472,843 whites, 19,543 free persons of color and 245,601 slaves. The average aggregate population to the square mile was about 14.7 and of white population 9.4. The aggregate population in 1840 will probably be about 850,000, or 17 to the square mile, and the white population 550,000, or 11 to the square mile. The number of white children between the ages of five and fifteen years was, in 1830, 129,583, in 1840 the number will be about 150,000 or 3 to the square mile.

Illiteracy in West-
ern North Carolina.

Accurate information with respect to the proportion of our citizens who have received the benefits of a common school education, from their own resources, would shed great light upon our inquiries. The data at our command is vague and uncertain. The Hon. W. C. Johnson, of Maryland, in the course of a series of observations on the subject of Common Schools, made in the House of Representatives of the United States in February last, remarks that he had seen no report from North Carolina, on this subject, but that it is obvious that she stands greatly in need of an improved system of education, from the fact that out of one hundred and eleven voters who gave testimony in relation to the contested election in the first ses-

sion of the 22d Congress, twenty-eight made their mark, in other words one-third could not write their names. It must be remembered, however, that the Congressional District referred to is on our Western frontier, and that although it certainly yields to no section of the State in the exhibition of mental and physical vigor, nevertheless, owing to its comparatively recent settlement and the sparseness of its population, the means of education are less generally diffused than elsewhere. The class of individuals, too, whose votes are most likely to be challenged are not always the most intelligent portion of the community. But after all proper allowances are made the existence of such a fact in the most populous Congressional district in the State, and the one for which it will be most difficult to provide, in any general scheme of education, is startling. In 1840 more than one-eighth of the voters of the State will be found in this regime. In the same district or country there are not more than two well regulated seminaries, where instruction is given in classical learning; and in these no means are provided for the illustration of the physical sciences. With the exception of the University, we have but one institution in the State possessed of philosophical and chemical apparatus, a third will in a short time be supplied. There are not probably a dozen Academies prepared to give instruction in the use of the maps and globes, or half this number furnished with libraries.

Dearth of well-equipped schools.

The average number of students on the catalogue at the University for the last twenty years is one hundred and eighteen or in the ratio of about one to every 4,000 of our white population in 1830. During the whole period, however, many of our young men, probably a third, were educated at the colleges of other States, and if so, the ratio of students at college to the white population would be as 1 to 3,000.

Attendance at University compared to total white population.

Such is the only information that has been obtained with respect to the condition of the State.

Value of property.

More full and precise details can be furnished on the subject of our resources.—But much, very much, will be left to be desired. The average value of the entire surface of the State, is not less than \$2.00 per acre, making the aggregate sum of \$64,000,000. The total value of all other species of property has been computed from satisfactory data to be at least \$136,000,000 which added to the estimate of lands amounts to two hundred millions of dollars.

Literary Fund.

The State fund set apart for the support of common Schools is exhibited in the following statement of the permanent property and other sources of revenue, committed to the management of the Board.

1. *Permanent Property*—A million acres of swamp lands of uncertain value;—5000 shares of bank stock in the Bank of the State and 520 shares in the bank of Cape Fear subscribed at \$100 per share;—500 shares of stock in the Roanoke Navigation Company, subscribed for at \$100 per share and probably worth half of the sum; 150 shares in the Cape Fear Navigation Company (500 subscribed for at \$50 and 100 at \$100 per share) subject to a like depreciation;—the dividends on 6000 shares of stock in the Wilmington & Raleigh Railroad Company, subscribed for at \$100 per share;—And 175 shares in the Club-foot & Harlows Creek Canal Company, subscribed at \$100 per share, the latter of no marketable value.

Other revenue

2. *Sources of Revenue*—The tax imposed by law upon the retail of spirituous liquors,—the tax on auctioneers,—all monies paid into the Treasury on entries of vacant lands (except Cherokee lands,—and all profits accruing to the State for subscriptions to works of internal improvement,—and for loans made for the internal improvement fund.

The transcript in the Appendix taken from the Report of the Public Treasurer exhibits the whole financial transactions of the Board since April, 1837, and is given at length to enable those disposed to enter into the investi-

gation, to satisfy themselves of the degree of reliance which may be placed upon the following estimates.

ESTIMATES FOUNDED UPON THE FOREGOING STATEMENTS.

The Bank stock belonging to the fund is of greater value than the subscription price, and the excess of value will be more than equivalent to the depreciation of the Navigation Stocks. There can be no risque therefore in estimating the Bank Stock and the Roanoke and Cape Fear Navigation stock at par,—and the Club-foot and Harlows Creek Canal Stock as destitute of value. The value of the Wilmington and Raleigh Rail Road stock can only be determined by time and experience. At present favourable expectations are entertained.

RECAPITULATION.

10,207 Shares of Bank Stock at \$100 per share	\$1,020,700
500 Roanoke Navigation	50,000
650 Cape Fear	32,500
Cash in Treasury 31st Oct. 1838....	27,285
	\$1,120,485
6,000 shares of stock in Wilmington & Raleigh Rail Road Company subscribed at \$100 per share.....	600,000
	\$1,722,485

ESTIMATED ANNUAL INCOME.

The Bank and Navigation Stock as above will probably yield an annual profit of six per cent on \$1,100,000.	66,000
Wilmington and Raleigh Rail Road stock 6 per cent on \$600,000.....	36,000
Tax on retailers of spirituous liquors.	2,800
Auctioneers	1,200
Monies paid for entries of vacant lands	5,000
	\$111,000

Loans from Internal Improvement fund.

Swamp lands give no certain revenue.

Problem to devise instruction in reading, writing and arithmetic for 150,000 children.

Education in Massachusetts.

One of the principal sources of revenue during the last two years, viz.—interest arising from loans made by the fund for internal improvements, is omitted in the estimate, because the principal money may be appropriated to some public work during the present session, and this may or may not be a source of revenue, according to the character of the enterprise. The swamp lands are omitted because no calculation can be made with respect to them on which the Board can rely themselves, much less command the assent of others.

To devise a system then which shall secure instruction in reading, writing and Arithmetic for 150,000 children dispersed through the State, in the ratio of three to every square mile, with the resources stated, would seem to be the precise duty required of this Board, by the last General Assembly.

Massachusetts is entitled not merely to the high distinction of having given birth to the Common School system in America, but to the peculiar glory of having preceded all other people in the effort, now making for the intellectual regeneration of the world. The cradle of liberty was none other than the cradle of intelligence, and the first of our free institutions can continue to exist in none other than the brilliant atmosphere which gave it birth. The population of Massachusetts in 1830 was 610,014, or 81 to each square mile of her territory, in 1840 it will be about 710,000 and about ninety-four to the square mile. The number of children between the ages of four and sixteen is returned at 177,053, and the amount expended for instruction is estimated at \$841,000 of which sum \$465,000 is raised by direct taxation. The latter sum is divided annually among more than three thousand teachers. The assessed value of the property of the people of the State in 1830 was \$208,300,407 and is probably much greater now. The reputation of the citizens for intelligence and enterprise is co-extensive with civilization. It is a matter of just pride with her statesmen, that a

Common School system, cherished to the extent which has been shown is well suited to the condition and resources of that Commonwealth.

Let us compare for a moment the relative advantages of the two States in both these respects. Our white population is spread over the State in the ratio of 11 to the square mile, hers in the proportion of 94. Density of population is a great advantage provided it be equally diffused, inasmuch as the schoolhouse can be brought nearer each man's door. In equality of diffusion, owing to the non-existence of large towns, we have greatly the advantage: and it is believed that it can be shown to a demonstration, that the advantage arising from the greater density of population in Massachusetts is fully counter-balanced by evils of an opposite nature from which we are exempt. We are blessed with a climate equally salubrious, a soil of greater average fertility, a larger variety of productions, and more valuable staples, a domain between six and seven times as extensive, an amount of aggregate wealth nearly as great, and greater man for man, divided among our citizens with an equality, strikingly similar to that which characterizes their distribution over the surface of the State. In the relative dissemination of intelligence it must be admitted that the superiority is not with us, and to this cause alone must be ascribed the fact, that with immensely greater facilities for the production of wealth we have so little surpassed our keen sighted rivals. Neither argument nor example is necessary to prove that the enterprise and consequent wealth of every nation is in a direct proportion to its intelligence. It is the history of the world and the experience of every individual.

Massachusetts and
North Carolina
compared.

A comparison of the relative advantages of North Carolina with either of the other States that has entered upon the great career of improvement, will serve to show that there is nothing connected with the condition and resources of this Commonwealth that should deter the patriot from

North Carolina
compared with
other States.

the attempt to discharge his duty. New York, Pennsylvania, and the infant Colossus Ohio are apposite and cheering examples. The empire State that astonished the world by the accomplishment of a physical improvement "a century in advance of the age" has effected infinitely more for our country and mankind in the admirable organization of her system of intellectual improvements. With a territory not quite equal in extent to ours, an aggregate population perhaps three times as great, she has established more than ten thousand Common Schools, in which instruction is given to a number of children, larger than that of our whole white population. If Dewitt Clinton had never been born and the first conceptions of the whole scheme of internal improvements were yet to be formed they would certainly and inevitably result from her Common School system. It is mind that acquires dominion over matter, and education that forms the mind. Pennsylvania entered comparatively late in the generous contest of physical and intellectual improvement, but she entered with a giant's stride, and has made and is making a giant's progress. With an extent of territory less by one-tenth than ours, an aggregate population twice as large, her system provides for the immediate instruction of 300,000 children at an annual expense of \$600,000.

This expense let it be remembered has been voluntarily assumed by her citizens, at the polls, in her several school districts, and at a time when they were charged with the maintenance of a system of internal improvements extensive and costly beyond all parallel. Ohio, that in the memory even of the middle aged men of the present generation was a wilderness, promises to outstrip her sisters in physical and intellectual improvement. One¹ of her citizens is entitled to the proud distinction of having given the first impetus to the greatest physical improvement of the age,—and another² a forest born Professor, has probably accomplished still more gigantic results, by the in-

¹ Dr. Drake. ² Professor Stowe.

terest which he has exhibited in favor of education in his Native State, and throughout our Country. It cannot be necessary to enter more extensively into these calculations.

Our condition is not unfavorable to the establishment of Common Schools; we have the necessary resources and need nothing but the will to apply them liberally, and the intelligence to apply them with discretion. With respect to the application, we have fortunately access to more satisfactory information, than any other topic that has engaged our attention. The regret that we have not been able to act efficiently at an earlier period is lessened by the consideration that we are enlightened by the recorded experience of those who have preceded us. If there were widely discordant opinions, as to the best mode of national enlightenment we might still experience much difficulty in arriving at satisfactory conclusions.

Conditions in North Carolina not unfavorable to establishment of schools.

So far however as the board have had the opportunity of examining the history of education in the new and old World the mode of procedure is substantially the same. In Sweden, Prussia, Germany, Austria and Russia the machinery is arranged with a celerity, and the system pursued with a vigor peculiar to the operation of despotic forms of government. In this country where the people are sovereign, action implies deliberation and to deliberation are sometimes incident hesitation and delay.

Systems of education in Old and New Worlds the same.

In digesting the system of common schools now to be substituted, the Board claim for themselves no originality of conception. They have done nothing more than to endeavor to adapt to our condition, and purposes, machinery which has been well tried and found eminently useful elsewhere.

Plan proposed for North Carolina not original.

Of the 50,000 square miles or 32,000,000 acres constituting the surface of North Carolina, a million and a half of acres were estimated by the Engineers appointed to examine them to consist of vacant and inaccessible swamp lands in the eastern section of the State. If this estimate

Plan proposed for North Carolina.

Inhabited area
45,000 square miles.

Districts proposed
thirty-six square
miles in extent.

Average district
to have 108 chil-
dren 5 to 15.

Smaller districts
may finally be
desirable.

To establish aver-
age of 19 schools to
each county.

No county has ever
maintained more
than twelve
schools in past.

approximated accuracy, and we add to the extent of the swamps the mountainous districts of the west unsusceptible of cultivation we may safely conclude that at least one-tenth of the State is uninhabited. There remains then 45,000 square miles of inhabited territory. If this area be divided into Common School districts, six miles square or as nearly so as the nature of the country will admit, the State will contain 1250 districts. If the population were diffused throughout the State, with precise equality, each district would contain about one hundred and eight children between the ages of five and fifteen years, and the most remote child would be a little more than four miles in a direct line from the center of his district, while the greater number would be less than half the distance.

It may be very desirable and certainly will be ultimately to have smaller districts and more numerous schools. New York, we have seen, has divided the same extent of territory into more than ten thousand districts, she has, however, nearly five times as many children to provide for, and it is a matter of much regret with her most intelligent citizens, that they have not fewer and consequently better schools.

The division proposed would, if our counties were all of the same extent, give about nineteen schools to each county.

As stated in the outset, the Board have no means of ascertaining, but the opinion is confidently entertained, that there have been at no time a dozen good schools sustained in the most prosperous and wealthy of our Counties. It is believed moreover, that if the requisite funds were at the command of the Board, the establishment of a greater number of schools would not be desirable for the obvious reason that it would be impossible to support them with competent instructors. Indeed, as hereafter will be shown, the greatest difficulty to be encountered in the great effort at intellectual reform will be in commanding the services of proper school masters.

The districts having been laid off by designated bounda-

ries, a school house is in the next place to be erected at a proper place of suitable materials,—and on the most judicious plan. As the rising generation is to pass a deeply important, interesting and the most impressible portion of life in these tenements, the mode of construction is a matter of no small moment. Indeed, much of the efficiency and success of the whole system will depend upon the model which shall be selected, and the manner of its execution. Too much attention cannot be bestowed upon either. The edifices should be pleasantly situated, should be neat and comfortable, and as they may, on an average, afford the only opportunities of instruction to 108 children, they must be spacious. In no community, however, will the whole or nearly the whole number of children ever be sent to school at the same time.,

The accompanying Report of the Secretary of the Board of Education of Massachusetts on the subject of school houses, contains all the information on this head that can be desired, and obviates the necessity of further remark here. The districts having been designated and the requisite school houses erected, the difficult question turns upon us how are instructors to be provided? No one capable of forming correct opinions upon the subject and conversant with the state of things around us can suppose for a moment that we can find twelve hundred and fifty properly qualified instructors in North Carolina, or any considerable proportion of this number. They cannot be had from the North, if it were desirable to employ others than those reared in our own State, for the difficulty of obtaining them is much more loudly complained of in Ohio, Pennsylvania, New York and even in Massachusetts than here. What then is to be done? We will be compelled to adopt the course crowned with such perfect success at Hofwyll in Switzerland, in Prussia and in Germany, and which is now in the progress of successful experiment in New York, and about to be adopted in Ohio, Pennsylvania and Massachusetts,—a scheme pressed with so much earnest-

Schoolhouses should be attractive and commodious.

Report of Secretary of Massachusetts Board of Education on school houses submitted.

It will be impossible to find the 1,250 teachers required by this plan.

ness and ability on the attention of the citizens of this State by Preident Caldwell in his volume of letters published in 1832, and which indeed constituted his only plan and hope for the improvement of our Common Schools.

Normal schools for education of teachers will have to be established.

We must establish Normal Schools for the education of our own teachers, and we need entertain no hope of accomplishing the favorite object of the State in any other way.

New York plan of normal schools.

New York has endowed a separate department in each of her district academies for the instruction of Common School teachers. It has had the effect already of giving increased reputation to the least appreciated, but most useful of all the learned professions, and promises a radical change for the better in the schools throughout the State. The graduates of these Normal schools are sought for with the greatest avidity and notwithstanding all the efforts that have been made to give efficiency to these departments, the supply is by no means commensurate with the demand.

Plan of Pennsylvania.

The Superintendent of Common Schools in Pennsylvania advises the establishment of four practical Institutions in different sections of the State, the procurement of suitable libraries and apparatus and a Faculty of six Professors for each, involving an annual expense of \$40,000.

Report of Board of Education of Massachusetts quoted; necessity of training teachers.

If these views needed the confirmation of argument or authority, they would find both in the subjoined extract from the Report of the Board of Education of Massachusetts, made on the 20th of April last. Governor Everett is chairman of this Board, and it is almost superfluous to remark that there is no individual whose opinions are entitled to more weight on all subjects connected with education. "The subject of the education of teachers is of the very highest importance in connexion with the improvement of our schools. That there are all degrees of success and skill on the part of the teachers is a matter of too familiar observation to need repetition; and that these must depend in no small degree on the experience of the teacher, and in his formation under good discipline and method of instruction in early life, may be admitted with-

out derogating in any measure from the importance of natural gifts and aptitude in fitting men for this as for the other duties of society. Nor can it be deemed unsafe to insist that while occupations requiring a very humble degree of intellectual effort and attainment, demand a long and continued training, it cannot be that the arduous and manifold duties of the instructor of youth should be as well performed without as well as with specific preparation for them. In fact it must be admitted as the voice of reason and experience, that institutions for the formation of teachers must be established among us, before the all important work of forming the minds of our children can be performed in the best possible manner, and with the greatest attainable success.

“No one who has been a witness of the ease and effect with which instruction is imparted by one Teacher and the tedious, painstaking and unsatisfactory progress which mark the labors of another of equal ability and knowledge and operating on minds equally good can entertain a doubt that there is a mastery in teaching as in any other art. Nor is it less obvious that within reasonable limits this skill and this mastery may themselves be made the subject of instruction and be communicated to others.

“We are not left to the deductions of reason on this subject. In those foreign countries where the greatest attention has been paid to the work of education, schools for teachers have formed an important feature in their systems and with the happiest results. The art of imparting instruction has been found like every other art to improve by cultivation in institutions established for that specific object. New importance has been attached to the calling of the instructor, by public opinion from the circumstance, that his vocation has been deemed one requiring systematic preparation and culture. * * * * The duties which devolve upon the teacher even of our Common Schools, particularly when attended by large numbers of both sexes and of advanced years (as is often the case) are various

and difficult of performance; for their faithful execution, no degree of talent and qualification is too great, and when we reflect in the nature of things, that only a moderate portion of both can in ordinary cases be expected for the slender compensation afforded the teacher, we gain a new view of the necessity of bringing to his duties, the advantage of previous training in the best mode of discharging them.

“A very considerable part of the benefit which those who attend our schools might derive from them is unquestionably lost for the want of more skill in the business of instruction on the part of the Teacher. This falls with especial hardness on that part of youthful population who are able to enjoy, but for a small portion of the year the advantage of the schools. Farther it is of peculiar importance that, from the moment of entering the school, every hour should be employed to the greatest advantage, and every facility in acquiring knowledge, and every means of awakening and guiding the mind be put into instant operation, and when this is done two months of schooling would be as valuable as a year passed under a teacher destitute of experience and skill.”

Normal school at
University pro-
posed

If the Legislature should determine to establish a single school of this character the public convenience will of course require that it be located near the center of the State. If the Board were authorized to make arrangements with the Trustees of the University and to secure to that Institution a Department for the instruction of Common School teachers, a less numerous faculty might be required, than for a separate school. The libraries, apparatus, geological and mineralogical cabinets would subserve equally the purposes of both. That Institution now receives without charge either for tuition or room rent every native of the State, destitute of the means of education, who, upon examination of the Faculty, is believed to possess the requisite mental and physical constitution to render him a valuable member of society. There can be

no difficulty in pronouncing that the Trustees would greet with a similar spirit of liberality and benevolence any proposition which should promise still more extended usefulness.

If a system of common schools of this or similar extent should find favor with the General Assembly, it will next become necessary to inquire more particularly into the amount of expenditure it will involve, and the manner in which the requisite funds can be provided.

The nett annual revenue of the Literary Fund as at present constituted, cannot, as before remarked, be less than one hundred thousand dollars, and will probably exceed that sum. The Act of 1825 creating the fund provides that it shall be distributed among the several counties in proportion to their white population. No illustration can be necessary to show that this sum unassisted from other sources, is wholly inadequate to the maintenance of any general system of education. The distribution of the fund set apart for this purpose however, should not be made until the citizens of each county shall have decided in favor of the scheme, at the ballot box, and the justices of the County court shall have levied and collected twice the amount that the county shall be entitled to receive from the State.

It would seem scarcely necessary to resort to argument to manifest the propriety and necessity of this condition. It is obvious that proper interest will never be taken in the management of these schools by those who are not conscious of having contributed to their maintenance. And no school can be conducted upon the best principles that is not subjected to the constant and jealous supervision of the most intelligent portion of the community, and this keen circumspection nothing short of pecuniary interest can produce. The tax-payer will not merely be disposed to see that his money is not wasted, he will be anxious to derive benefit and the greatest possible benefit from the expenditure. This can only be secured by the mainten-

Net income from Literary Fund \$100,000; not enough to establish schools.

Citizens should decide in favor of schools and levy a tax of twice the income from Literary Fund.

Advantages of county taxation to supplement Literary Fund.

ance of a well regulated school, and the means necessary to the end will not be neglected. If the State fund were ample in amount for all the purposes contemplated by its creation, it is more than doubted whether it would be possible to effect the object without uniting it with individual interests.

Scheme proposed only the beginning.

The Board are not to be regarded as intimating the opinion that the State and County fund provided and united in the manner proposed would be competent to effect all that the philanthropist would desire. Far from it. It will accomplish, however, vastly more than has hitherto been attempted or anticipated in North Carolina. If the scheme now suggested should be carried into successful operation, all will have been done perhaps that is proper to be attempted at the present time. The foundation of a universal system will have been laid, which properly beginning with society in its incipient stage, will ultimately adapt itself to every period of life, and to all the wants of the Country. Well endowed academies will succeed to Common Schools, at no long interval and colleges and universities in due time, complete the structure. All are not merely necessary, but indispensable to the happiness and prosperity of a well governed State.

High schools necessary.

Proposed plan will take three years, to put into operation

But it is time to return from this digression to the delineation of the plan. It would not probably be possible to divide the State into the proper districts, erect a School house in each, and have one or more Normal Schools in operation in less than three years. The accumulation of three years arising from the regular income of the fund and double the amount raised by the counties, would amount to nine hundred thousand dollars, and this sum divided by the number of school districts (1250) would admit of an average salary of \$240 to each school master. This rate of compensation is certainly very moderate, but it is to be believed to be greater than the sum ordinarily derived from the same vocation at present. Various circumstances may tend in many instances, to increase it.

The sum of \$900,000 could be raised in three years, making \$240 for each school.

The wealthier neighborhoods may augment it by voluntary contributions. The schools in summer, particularly in the poorer districts, will consist mainly of the younger classes of learners, and for their instruction may be provided in an inverse ratio to the value of the services rendered, by the most amiable, patient and successful of the whole tribe of teachers—educated females. In all the districts where voluntary provision is not made, the instructor must as in the Eastern States board with the parents of his pupils at alternate intervals.

Female teachers suggested.

To superintend, direct and control the whole of this complicated, but not inharmonious machinery, a Superintendent of Common Schools must be selected. Perhaps there is no office in the State so difficult to fill well, as there is certainly none of such incalculable importance. For such a station, no character is too exalted, no amount of learning too varied and too extensive, no talents too commanding, no benevolence too active or expansive. He must direct the Normal Schools, visit and examine every section of the State; devise the principle on which it shall be districted, furnish the model of the school houses, devise a mode for examining and licensing teachers,—select the series of text-books, and see that they are invariably used in every school,—devise forms of reports, to be required annually from each instructor, that shall contain all that is necessary to be known, with respect to the condition, government and police of the school and to prepare a systematic digest of the whole to be submitted to the General Assembly. He should be able to exercise a commanding influence over multitudes in their primary assemblies, to advise the instructor in his school room, and to control and dissipate causeless prejudices and jealousies without. All these qualifications may not and probably will not be found united in any individual, but proper pains should be taken to secure the nearest approximation practicable.

Superintendent of common schools should be appointed.

Duties of Superintendent of common schools outlined.

Although the Board have been simply instructed to digest a plan of Common Schools, a few remarks upon the

Some general remarks on education and the plan proposed.

subject of education, generally, and in connexion with some feature of the scheme, may not be deemed irrelevant to their duty.

Annual expenditure \$300,000.

The system recommended contemplates the annual expenditure of \$300,000, of which sum \$200,000 is to be raised by direct taxation upon the counties in proportion to their white population for the instruction of 150,000 children in the elements of learning, morals and religion. It amounts at the most to one tenth of one per cent on the entire capital of the State \$200,000,000, in other words every individual will be required to contribute the one-thousandth part of each dollar for the education of his children, and the diffusion of the light of learning and the spirit of freedom throughout the State.

Instruction for 150,000 children.

Tax ten cents on each \$100.

Saloons a greater tax than that proposed for schools.

It will be perceived from the statement of the public Treasurer of the condition of the Literary Fund, as exhibited in the appendix, that there are about eight hundred retailers of spirituous liquors licensed in this State, at the rate of \$4.00 per head. If the receipts of these individuals are of the average annual amount of \$400, the aggregate sum freely contributed to sustain these Common Schools for the dissemination of vice and immorality is greater than that required to establish a system of the character which has been delineated.

Saloons may be dispensed with.

If the country is too poor to sustain both, may not the question be properly submitted to the people, which shall be dispensed with. The security of life, liberty and the pursuit of happiness is, under the blessing of Heaven exclusively dependent upon one—of the other it must be left to its advocates to speak.

Economy to educate the masses.

Without the benefits of a common school education the usefulness of man to himself and neighborhood is greatly restricted. But who will venture to calculate the direct loss to the community in an economical point of view, from the too partial diffusion of elementary learning?

Expense of education will impoverish no nation.

When was a nation impoverished by any extent of effort to enlighten the common people? Is it possible in the

nature of things to produce such a result from such a cause? On the contrary must not the cultivation of the mind and the heart tend to diminish the expenses incident to crime? Will not the application of science to the useful arts insure increased production, and the consequent augmentation of individual and national resources? Nothing is more certain.

Education will
lessen crime and
increase wealth.

There is another point of view, however, even in connexion with the temporal interests of man in which this subject should be regarded, in comparison with which all economical considerations dwindle into insignificance. Not merely the property,—the life and liberty of every citizen and the perpetuity of our free institutions depend upon the jury box and the ballot box. If intelligence and integrity be wanting there, the form of government ceases to be of the slightest moment.

Intelligence nec-
essary to suffrage.

The Constitution of the State requires "That a school or schools shall be established by the Legislature, for the convenient instruction of youth, with such salaries to the masters paid by the public, as may enable them to instruct at low prices and that all useful learning shall be duly encouraged in one or more Universities." At the time when this instrument was framed the public mind was most deeply exerted on all subjects connected with the rights of man. The fundamental principles of Civil government were more universally discussed, and more thoroughly understood than at any subsequent period. The social edifice was regarded as resting upon the virtue and intelligence of the people. The principle which no one presumed to controvert *then* is true *now*, or our whole representative system is a delusion and a mockery. It must be carried into practical effect by the solemn declaration of the father of his Country, *that in proportion as the structure of the government gives force to public opinion it is essential that public opinion should be enlightened*, becomes unmeaning and useless jargon, and our once revered Constitution a dead letter.*

Constitution of
1776 quoted.

Society rests upon
intelligence of
people.

Washington
quoted.

* Vol. I, proceedings Literary Board, pp. 119, et seq.

THE AUTHOR OF THE REPORT. We shall publish, in our next, the Report made by the President and Directors of the Literary Fund to the Legislature, on this subject, in pursuance to a Resolution of that body, at its session of 1836-37. It was submitted to the Legislature two or three weeks ago, but we have been unable before, to find room for it. It is not attributing too much to this able and learned Report, to say, that it has been the means of producing definite action upon this important subject; and the Legislature have attested their sense of its value, by ordering it, in connection with other matter pertaining to the subject, to be printed, ten copies for each member. We cannot be mistaken, we think, as to the authorship of this document. It bears internal marks, too palpable for mistake, that it is the production of the present accomplished President of our University, Hon. David L. Swain, who has been always distinguished for his zeal on this and other kindred subjects.

—*Raleigh Register*, Jan. 14, 1839.

7. REPORT ON LITERARY FUND.

To the Honorable, the General Assembly of North Carolina.

GENTLEMEN: The President and Directors of the Literary Fund of North Carolina, have the honor to submit the following report:

Soon after the organization of the Board on the 4th of March 1837, they proceeded in obedience to an act of the last session of the General Assembly to give to the subjects committed to their charge that consideration and attention which their importance demanded; the draining of the swamp lands, digesting a plan for common schools and the disposition and investment of the funds appropriated to these objects until they could be used advantageously and with effect.

Board organized
March 4, 1837.

First work.

Their first duty was to inquire and determine what lands were owned by the State. Entertaining the belief that large bodies had been entered by individuals and the grants obtained thereon were purposely withheld from registration, this enquiry could not be satisfactorily prosecuted until after the expiration of the twelve months allowed by the act of the last session for the registration of the grants and deeds under which they might be held.

Inquiry as to
swamp lands.

It was ascertained however that the County of Hyde did contain a large body the unquestioned property of the State, believed to be fertile and susceptible of draining and on which a fair and thorough experiment might be made. To guard against failures which had justly excited the highest hopes and expectations of the public and to prevent wasteful expenditures and losses by its injudicious prosecution the Board had no hesitation in deciding that they would take no important step in relation to it without obtaining the aid and advice and supervision of a competent and skillful scientific engineer. Public advertisement

Large tract in
Hyde county sus-
ceptible of drain-
age.

Charles B. Shaw
employed as
engineer.

was accordingly made in various newspapers of the United States and Charles B. Shaw, Esquire, who had then recently been engaged in conducting works of improvement in Virginia and who was highly recommended to the Board as an engineer, was engaged at a salary of \$2500 per annum. His attention was first directed to the lands in Hyde and he was instructed to organize a corps of surveyors and assistants and commence the preparatory steps for draining.

Visit to vicinity of
Mattamuskeet
Lake.

To enable the Board to form a proper estimate of the swamp lands and to obtain information upon a matter which was wholly new to most of its members they visited early in December last the neighborhood of Mattamuskeet Lake where the lands have been reclaimed to a considerable extent and intended to extend their examination to other similar improvements in the low country; the inclemency of the weather was so great that their attention was confined exclusively to the low lands in Hyde.

Fertility of certain
lands.

The immense fertility of these lands when subjected to culture, their susceptibility of being drained and cultivated, and their great value to the State in many points of view when so improved, have been so often and so ably discussed for many years before the Assembly and the public that it would be a worthless consumption of your time to insist upon it here.

Reports of Mr.
Shaw submitted.

Indeed your predecessors have already decided this matter and have resolved to give it a fair experiment,—and it is presumed that all your Honorable Body wishes or expects to learn from the Board is to know what they have done. The reports of Mr. Shaw the engineer numbered 1 and 2 are with this view herewith submitted for your consideration, and these together with the journal of proceedings kept by the Board will afford the desired information.

Lands held by in-
dividuals hinder
reclamation.

* The Board would beg leave to make one suggestion. A great misfortune attending the swamp lands, and one which has greatly contributed to their wilderness state, is that

they are held in immense bodies by individuals who are unable to reclaim them and yet satisfied with their fertility and value, are unwilling to part with them at such prices as will enable farmers of limited means to purchase. If the State could repossess them, it would greatly facilitate its operations in reclaiming contiguous tracts. The consideration of this matter is deemed worthy of your attention.

Mr. Shaw having received higher inducements elsewhere has very recently resigned his appointment of engineer. However much the Board may be gratified to see an efficient and valuable officer receive the full reward of his services, they can but regret the loss of his to the State. In the incipiency of his work the Board did not feel themselves justified in offering him a higher salary to induce him to remain. Indeed he did not intimate that such an offer would be accepted or would change his course. The work until another competent and experienced engineer can be engaged can be left under the management of his assistants of whom he speaks in high terms, and, in whose ability to discharge the duties left with them for the present, the Board have full confidence.

By a Resolution of the last General Assembly, it was made the duty of the Board to digest and report to the General Assembly a plan or system of common schools adapted to the wants and capacities of the State. This great subject so favorably esteemed by all, has been one of great anxiety and no little perplexity.

Information has been sought from various quarters, and through the politeness of the Governors of several of the States, of whom the favor was requested, many laws relative to, and systems of common schools have been received. From these and other sources of information and aid the Board have been enabled to comply with this requisition and have the honor to submit for your consideration a system or plan in the file marked A.

Resignation of Mr. Shaw.

Plan for schools.

Investment of
\$200,000 appropri-
ated for draining
swamp lands.

Present condition
Literary Fund.

The amount appropriated for the draining of the swamp lands, viz: \$200,000 has been loaned out at short credit to various individuals and is believed to be well secured. The interest accruing on this sum from time to time (except such as is needed for current expenses) is also converted into Principal and loaned out. The lands and property placed under the control of the Board consists of the following items: \$1,000,000 in the stock of the Bank of the State and Cape Fear, to which has been added by the Board \$20,700 making \$1,020,700. The income arising from the operations of the Board of Int. Improvements; from \$32,500 stock in the Cape Fear Navigation Company; \$25,000 in Roanoke Navigation Company; land entries, licenses to retailers of spirituous liquors and auctioneers, tax on the Banks, on loans \$274,103 and all the swamp lands not heretofore granted to individuals and cash on hand \$38,643.24. The amount derived from the various sources including \$3,130.20 of dividend of Capital of the old Banks of the State and Newbern since April 1837 is \$110,757.34, \$11,358.13 of which has been received since the Public Treasurer made up his account; the annexed account will more readily show the same. The amount of interest received by the Board on loans, it will be seen is \$30,509.32, which would have been considerably increased, but for the necessity of the Public Treasurer's using a considerable amount of the funds to meet the current expenses of the Government. until the taxes of the present year were received. All which is most respectfully submitted.

EDWARD B. DUDLEY,

Pres. ex officio.

EXECUTIVE OFFICE, December 4th, 1838.

ITEMIZED STATEMENT APPENDED TO ABOVE
REPORT.THE PUBLIC TREASURER IN ACCOUNT WITH LITERARY
FUND.

Dr.

1837

Apr. 6. Amount on hand at that period....	\$27,155.58	
Appropriation of surplus to drain		
Swamp lands	200,000.00	
Land entries	\$4,691.66	
Tavern Tax	5,859.71	
Auctioneers	990.40	
	\$27,962.69	
Interest on loans		
made by the Board		
of I. Impts.....	18,114.75	
		46,077.44
Dividends profits of		
the Bank, State and		
Cape Fear	48,000.00	
Bank Capital old		
State & Newbern..	3,130.20	
Tax on the Banks...	2,500.00	
		53,630.20
Bank Cape Fear N.		
Company	1,300.00	
		\$334,684.99

1838

Nov. 1. To balance per contra	\$27,285.11	
Received since on loans.....	2,546.63	
Received since on loans made by the		
Board of I. Improvements.....	8,811.50	
		\$38,643.24
Dec. 4. To balance on hand.....	\$30,843.24	
Aggregate amount of interest on loans by the		
Literary Board	\$30,509.32	

Rec'd since April, 1837.	
Ditto by Board of Internal Improvements...	26,926.25
Rec'd since July, 1837.	
Rec'd by the two Boards.....	\$57,435.57
Paid for 207 shares of stock in the Cape Fear	
Bank	\$20,700.00
Appropriation opening canal from Matuskeet	8,000.00
Expenditures of the survey of the swamp	
lands	8,148.64
Charges of the Board, etc.....	1,370.24
Croom fees	18.00
Amount of loans	274,163.00
	\$312,399.88
Nov. 1. Balance on hand per P. Treasurer's	
report	27,385.11
	\$339,684.93
By amount of Notes discounted since the	
Treasurer's report was made up.....	7,800.00
Dec. 4. Balance on hand	30,843.24
	\$38,643.24
Income from 1st	
April, 1837, from	
dividends of Bank \$48,000.00	
	50,500.00
Tax ditto	2,500.00
On loan by the Lite-	
rary Board	\$30,509.32
Ditto I. Improve-	
ments	27,925.25
	57,435.57
	\$107,935.57

E. B. DUDLEY, Prest., Ex Officio.

Executive Office, Dec. 4, 1838.

—*Ms. Records Literary Board.*

8. REPORT OF COMMITTEE ON EDUCATION.

Thursday, Dec. 27, 1838.—Mr. Cherry, from the Committee on Education and the Literary Fund, to whom was referred the resolution instructing them to inquire into the expediency of establishing Common Schools in every county of the State, reported a bill to divide the counties into School Districts and for other purposes; which was read the first time and passed, and, on motion of Mr. Moore¹, ordered to be printed, one copy for each member of the Legislature.

Mr. Cherry makes report of Committee on Education by bill.

Bill ordered printed.

Mr. Spruill offered the following Resolution, to wit:

Resolved, That a message be sent to the House of Commons, proposing that the Secretary be directed to have the reports of the Chairman of the Committee on Education and the Literary Fund printed and attached to the acts passed at this session of the Legislature; and that ten copies of said report be printed for each member of the General Assembly.

Motion to print report with acts of this session.

Which was read and adopted.

—*Senate Journal*, 1838-39, pp. 152 and 153.

¹ Matthew R. Moore, Stokes.

MR. CHERRY'S REPORT TO THE SENATE.

The Committee on Education and the Literary Funds respectfully report,

That they have had under consideration the resolution instructing them to enquire into the expediency of establishing Common Schools in every county of the State, and to report some plan by which the system can be put into operation. The subject is one of great importance, and one in which a deep interest is felt, by every class of the community throughout the State.

Importance subject.

Inquiry into
income of Literary
Fund.

Total Literary
Fund \$1,732,485, of
which \$600,000 is
invested in rail-
road stock.

Income from rail-
road stock uncer-
tain.

Certain income
\$75,000 a year.

Area of State 45,000
square miles; 1,250
districts necessary.

Income inadequate
to support 1,250
schools.

Northern states in
advance of us in
education.

The first enquiry which presented itself was the state of the Finances of the Literary Fund and whether the annual revenue of the same was sufficient to establish a general system of Common Schools, and keep the same in successful operation. Your Committee find upon examination of the report of the President and Directors of the Literary Board, that the whole amount of the Literary fund, in stocks, Swamp Lands, and other sources, is \$1,732,485. Of this sum \$600,000 is vested in the Wilmington and Raleigh railroad, and is as yet unproductive Capital, and will continue to be so until the road is completed. Its value then will depend upon circumstances, such as the amt. of travel, transportation of produce, etc., and consequently there is no certain data by which your Committee can form any correct estimate of its probable value. Those best acquainted with the road, the travel, etc., estimate, with great confidence, a dividend of 6 per cent per annum. The annual income of the Literary Fund, exclusive of the \$600,000 vested in the railroad is \$75,000. This sum is insufficient to establish Common Schools throughout the State and support them without aid from other sources.

The President and Directors of the Literary Board estimate that the area of N. Carolina is "45,000 square miles of inhabited Territory. If this area were divided into Common School Districts 6 miles square or as nearly so as the nature of the Country will admit, the State will contain 1250 Districts." The Interest of the Literary Fund of course is, entirely inadequate at present, to support a school in each district. It is a matter of serious doubt, whether it is advisable, that the Fund should be sufficient for this purpose. Anxious as all persons may be to see some plan devised, by which all classes may reap the advantages of a Common education, it is all important, that any system which may be adopted should prove successful and lasting. Many of our Sister States are far in advance of us upon this subject and whilst it is said to be a rare thing to meet with a Boy 12 years of age in the Northern

States, who can not read and write, it is to be regretted that nearly every tenth man in N. Carolina is unable either to read or write, and in many counties of the State the proportion is much greater. Common Schools having had so desirable and salutary an effect in the Northern States, it is a matter of some consequence, to enquire into the plan upon which they are established and the practical effects.

Illiteracy in North Carolina.

In New York, the Literary fund pays one tenth of the sum necessary to keep up a Common School in each School District. The number of scholars at her Common Schools is about 500,000. The amt. expended for Teachers, books, etc. \$1,061,000.

New York spends \$1,061,000 on schools, of which Literary Fund contributes one-tenth.

In Massachusetts, the school fund pays about one half the sum necessary to defray the expenses of her Common Schools. The remaining half is raised by taxation.

In Massachusetts Literary Fund pays one-half cost of schools; taxation remainder.

In Connecticut, the whole expense is defrayed from the Literary fund.

Literary Fund bears total expense of schools in Connecticut.

The Common Schools of New York and Massachusetts are considered to be in a more flourishing and prosperous state, than any others and in those states where the whole expense is paid by the Literary fund, they do not succeed so well; all persons who have devoted much of their time and attention to this important subject and have witnessed the practical effects of the different systems in different states, have settled down upon the conclusion that the system succeeds best in those states, where the schools have been established by a *combination of public Funds and Taxation*. Your Committee having become satisfied of the truth of this fact, and finding the revenue from the Literary Fund insufficient to establish a general system even if the same were advisable, next turned their attention to the manner in which the balance of the fund necessary to establish Common Schools, could be raised, so as to be practicable, and at the same time acceptable to the whole State.

Massachusetts and New York schools considered better than those of Connecticut.

Taxation should furnish part of fund.

County courts
should divide
counties into dis-
tricts of thirty-six
square miles each.

Election to deter-
mine will of people.

Tax to support
school in each dis-
trict; \$100 to each
district from Lit-
erary Fund.

May be able to give
\$125 or \$150 from
Literary Fund.

Each county to
have money it
raises by taxation.

For this purpose your Committee recommend that the County Courts of the several Counties in the State, shall appoint a Committee to be called the School Committee—that this Committee when thus appointed shall proceed to lay off and divide their respective counties into School Districts, not less than six miles square, but as near that size as the nature of the country will conveniently admit—that said Committee shall report to the next succeeding Court after their appointment the divisions they have made, setting forth the natural Boundaries of said Districts as well as they can, which report shall be recorded in the Register's office of the County where the Report is made. Your Committee recommend further, that an election shall be held at each of the usual election grounds in every county of the State, at which election, every person, who is entitled to vote for a member of the House of Commons, shall be entitled to vote. The object of the election shall be to ascertain whether the different counties are willing to raise by tax on the real estate and polls in the County, a sum sufficient to establish a common school in each District, into which the school Committee may have divided the County, upon condition, the Treasurer of the Literary fund furnish to each of said Districts the sum of One Hundred Dollars per annum. The amt. thus to be raised will be a light and moderate tax, compared to its importance.

Your Committee think they can say, with safety, that each District into which the Counties may be divided as above recommended can receive the sum of One Hundred Dollars per annum from the Literary fund and if the stock of the Wilmington and Raleigh railroad should yield a dividend of 6 per cent in the course of a few years, the Literary Fund will be able to furnish \$125 or \$150 per annum to each district, and even a larger sum, if the operation of draining the swamp lands should prove successful. With these inducements held out, it is hoped that every county in the State will laudably undertake to raise the

balance of the sum necessary, to establish a school in every District—the money thus raised to be appropriated for schools in the county where it is raised and not elsewhere. In order to determine at said elections, whether the county will undertake to raise the necessary sum, those who are in favor of the schools upon the Terms prescribed shall vote a ticket with the words “A School” those opposed to it shall vote “No School.” If upon comparison of all the votes taken in any county it shall be found, that a majority of all the votes taken in the County are in favor of a school, it shall be the duty of the School Committee to certify the same to the President of the Literary Board also to certify to him the number of school districts in said County. And it shall be the duty of said Committee to ascertain as nearly as they can, the probable cost of erecting a School House in each District and of employing a Teacher and report the same to the County Court, who shall proceed to lay an additional tax on the land and polls sufficient to raise the sum necessary to defray the expenses of building the School Houses, and employing Teachers, over and above the sum recd from the Literary fund.

The result of elections to be reported to President of Literary Board.

Committee to estimate cost of schools and report to County Court, which is to levy additional tax.

Your Committee would be anxious to see some plan devised, by which the system of Common Schools, could, at once, be generally adopted, but they deem it entirely impracticable to do more than to ascertain the wishes of the people as to their readiness to submit to the small tax, necessary to afford common school instruction to all the children of this State. The subject addresses itself with great force to the consideration of the Virtuous, the Intelligent and the wealthy.

Plan not to go into operation immediately.

To the virtuous, who know that ignorance and vice generally accompany each other and the only effective method of reclaiming the vicious is by operating upon the mind and that in the houses of thousands now in N. Carolina are to be found children of all ages from Infancy to manhood, who are in the most perfect state of ignorance and vice and who never have been and perhaps never may be

Education will banish ignorance and vice.

able to read the first sentence in the Bible. Are you willing to contribute a small sum from your superfluities, perhaps your superabundance to rescue the children of your indigent neighbors from ignorance, misery and vice? Those who have mixed much with the people of our State, know that there is an average of nearly one half in every family of the State, who have recd no education and who are as yet unprovided with the means of Learning even to read and write! Are you not willing, not only to contribute yourselves, but to stir up your neighbors to the importance of the matter and get their consent to pay this small tax?

Estimated that half the people are ignorant.

Appeal to the intelligence of the State to place her among her sister States.

To the Intelligent, those who have had the advantages of education, who know that mind constitutes the great, perhaps in reality, the only difference between man and the Brute creation, we feel assured the appeal will not be made in vain. It behooves all such not only to aid by their small mite the scheme of attempting to confer the benefits of a Common School education upon their neighbors but to press its importance upon all. Without some system of education which can diffuse its blessings among all classes and elevate the minds of the poorer class of our citizens, N. Carolina never can assume that rank and standing among her sister states in the Union, to which she is justly entitled.

The wealthy are interested that the majority be intelligent.

To the wealthy, a more important consideration addresses itself. Ours is a government of the people. The Majority rule and control in all elections. It is right that it should be so. But it is important at the same time that this majority should be an intelligent one, and one capable of forming correct conclusions. How can this majority be intelligent, without education? How are they to be educated without funds to establish schools? Too indigent themselves to furnish the means. The Fund which has been set apart by the State being insufficient, to what other source can we turn but to you? We propose to leave it to your discretion to say whether you will be willing to con-

tribute a small pittance from your abundance, to educate and enlighten your neighbors and your neighbors children who have not been so blessed with the goods of this world. Those too who have a controlling influence in making the laws, that regulate and govern the very wealth which you prize so highly. Can you employ more wisely a small sum from your abundance, than in diffusing intelligence amongst the ignorant, who have so important an influence over your property, thereby reclaiming the vicious and bringing from obscurity many a youth who perhaps maybe an ornament to his country but who without your means may live in obscurity forever, and in cementing and strengthening their attachment to their country and its institutions? These considerations and others without number induce your Committee to hope that the plan which they recommend may be acceptable to the majority of the people of the State.

Money spent on education a good investment.

The spirit of improvement and of Education is abroad in the land. Both are important to N. Carolina. Perhaps it is difficult to decide which is of paramount importance, and which should be first attempted, if only one can succeed. Your Committee feel confident that the heart of the people is directed with much earnestness to the subject of Education by Common Schools. They have long heard that a Fund had been set apart for that purpose. They have heard this until they begin to look upon it as a mere humbug to deceive and them out of their votes. Your Committee insist that this Literary Fund should not be appropriated to any other purpose, until the matter has been submitted to the people and their decision is heard, whether they will have a system of Common Schools upon the Terms proposed. If they reject it, it will then be time to talk of some other disposition of the Literary Fund, but until then your Committee *protest* against applying the Literary Fund to Internal Improvements or any other subject.

Education one of the great questions.

People should be given an opportunity to decide whether they will have a system of schools.

Good teachers
necessary.

Teachers must be
trained.

Provision for train-
ing teachers should
be made.

Arrangement with
academies for edu-
cating teachers
suggested.

Bill recommended
to be passed.

Your Committee are aware of the importance of Teachers, who are qualified to instruct and the difficulty under which the State will labour in procuring a number sufficient to furnish each School District in the State, if the system is adopted. In fact, it is one of the greatest difficulties under which those States labour where the system has been for years in operation. It is idle to talk of every man who can read and write being qualified to teach and instruct. It requires study and experience to succeed in any other occupation or profession. No Mechanic could be employed, who had never served at his trade, and is a man, by intuition, prepared to discharge that most important of all duties, train properly the minds of our children? We know too that it is an axiom of Political Statutes that much is gained by division of labour. He thus who is trained to any one subject, must be best qualified to discharge the duties pertaining to that subject. A Teacher who has been properly qualified to instruct would impart more information, and with more ease in 3 months than one not qualified could do in twelve months. It is important then that some steps should be taken for the purpose of educating Teachers for the Common Schools, so soon as it is ascertained that the system for Common Schools has been adopted, if fortunately, it should be adopted by the people. For this purpose your Committee would recommend that the President and Directors of the Literary Board shall be authorized to make such arrangements at the different Academies in the State for the education of young men, out of the Literary Fund, to be employed as Teachers of Common Schools, as they may deem most advisable. Or, if they find impracticable to succeed in this method, that they be directed to digest some plan for the education of Teachers of Common Schools to be submitted to the next Legislature.

Your Committee recommend the passage of the follow-

ing Bill and ask to be discharged from the further consideration of the subject.

WM. W. CHERRY, Chairman.

—*From Unpublished Legislative Documents, 1838-39.*

Saturday, December 29, 1838.—A message from the Senate, proposing that the Secretary of State be directed to have the report of the Committee on Education and Literary Fund printed and appended to the acts passed at this session of the Legislature, and proposing also that said report be printed, ten copies for each member of the General Assembly. The proposition was agreed to.

House agrees to
print report on
education.

—*Journal House of Commons, 1838-39, p. 482.*

Tuesday, January 1, 1839.—Received from the House of Commons a message, stating that they concur in the proposition of the Senate, that the Secretary of State be directed to have the report of the Committee on Education printed and appended to the acts of this session of the General Assembly. And also, in the proposition that the said report be printed, ten copies for each member of the General Assembly.

—*Senate Journal, 1838-39, pp. 184-185.*

9. MR. CHERRY'S ORIGINAL BILL.

A Bill to divide the Counties into School Districts and for other purposes.

A county school committee of five to be elected by County Court.

1st. Be it enacted by the General Assembly of the State of N. Carolina and it is hereby enacted by the authority of the same that the several Courts of Pleas and Quarter Sessions in each county of the State of N. Carolina shall at the first Court which may happen in their respective counties after the first day of May next, a majority of the Justices of said county being present, proceed to elect five discreet persons as a school committee for said county and in such election it shall be necessary for a choice that each of the persons elected shall receive a majority of the votes of all the Justices present.

Committee to divide county into districts.

2nd. Be it further enacted that said school Committee, after being thus elected, shall proceed as shortly thereafter as convenient, to divide their respective counties into School Districts for the purpose of establishing Common Schools, provided in laying off such School Districts no District shall be less than six miles square or as near that size as the nature of the country will conveniently admit.

Report of committee on school districts to be recorded.

3rd. Be it further enacted that said Committee shall make a return of their Division and the number of School Districts into which they have divided their counties to the next County Court that may be held after their appointment. And it shall be the duty of said Committee in making their return to designate as well as they may the natural boundaries and prominent objects of boundary of each of said Districts and it shall be the duty of said Court to cause such return to be recorded in the Register's office of said County.

Committeeman failing to serve to be fined.

4th. Be it further enacted that if any person who shall be thus appointed to serve on the School Committee refuse or neglect to do so, he shall forfeit and pay the sum of One Hundred Dollars to be recovered by action of debt in any

court of record in the State and such penalty thus recovered to be paid over to the President and Directors of the Literary Fund and to be appropriated to the Literary Fund. And it shall be the duty of the county Attorney for the State to prosecute suit in all such cases for and in behalf of the President and Directors of the Literary Board.

5th. Be it further enacted that it shall be the duty of the sheriffs of the several counties of this State when he advertises the next August election to give notice at the same time by public advertisement in every election precinct that an election will be held to ascertain the voice of the people upon the subject of Common Schools. And all who are in favor of raising by taxation a sum sufficient to establish a common school in each School District, after receiving One Hundred Dollars, per annum from the Literary Board, will deposit their votes with the word "School" written on it. Those opposed to it will write "No School" upon their tickets. And it shall be the duty of the Poll Keepers to count the votes given at each precinct for school or no school and to return the same to the sheriff, who shall accoumpt together all the votes, and if a majority shall be found in favor of schools it shall be the duty of the sheriff to furnish a certificate of the same to the School Committee of his County and any sheriff failing to comply with the requisites of this act shall suffer all the penalties imposed by law for failing to discharge his duty in any election for members of the Assembly.

6th. Be it further enacted that in any County where a majority of the votes have been for Common Schools and a certificate of the same has been furnished by the sheriff to the School Committee, it shall be the duty of the School Committee to transmit the same with a certificate of the number of School Districts in their respective Counties to the President of the Literary Board.

Election to be held to ascertain will of people as to establishment of schools.

School committee to report result of election to Literary Board, also number of districts.

Literary Board to report result of election to next Assembly, and submit plan for education of teachers.

7th. Be it further enacted that if any of the Counties in this State shall adopt the plan and the same shall be so certified by the School Committee to the President of the Literary Board, it shall be the duty of the President and Directors of said Board to make report of the same to the next General Assembly and to submit some plan for carrying the whole into execution so far as it may be adopted and for schools to educate Teachers for the same¹.

Clerk's entry: In Senate Decr 27, 1838. Read the first time and passed and on motion of Mr. Moore ordered to be printed one copy for each member of the Genl Assembly.

—*From Unpublished Legislative Documents, 1838-39.*

¹ This bill and the report are in Mr. Cherry's handwriting.

Order of day in Senate, Jan. 2, 1839.

Tuesday, Jan. 1, 1839.—On motion of Mr. Cherry, the bill to divide the counties into school districts and for other purposes, was made the order of the day for tomorrow at 11 o'clock.

—*Senate Journal, 1838-39, p. 190.*

Cherry bill passes Senate unanimously on second reading.

Wednesday, January 2, 1839.—The Senate then proceeded to the order of the day, to wit: The Bill to divide the counties into school districts; which was read the second time and amended, and unanimously passed by the following vote:

Those who voted in the affirmative, were, Messrs. Allison, Albright, Arrington, Baker, Biddle, Bunting, Carson, Cherry, Cooper, Davidson, Dockery, Edwards, Etheridge, Exum, Fox, Foy of Onslow, Franklin, Harper, Hawkins. Henry, Hill, Holt, Houlder, Kerr, Melvin, Melchor, Morehead, Moore, Moody, Moye, McDiarmid, Montgomery, Myers, Reid, Reding, Reinhardt, Rabun, Ribelin, Sharp,

Shepard, Speed, Spruill, Taylor, Williams of Beaufort, Williams of Person, Wilson, Whitaker—47 yeas.

—*Senate Journal, 1838-39, p. 198.*

Thursday, Jan. 3, 1839.—On motion of Mr. Cherry, the Senate took up for consideration the bill to divide the Counties into School Districts and for other purposes; which was read the third time. Mr. Moore moved to strike out the words *one hundred dollars* in the 8th line of the first section, and insert the following: "An amount according to the free white population;" which was rejected. Mr. Whitaker then moved to strike out the fifth section; which was also rejected. Mr. Moore then moved to insert after the word appointment, the following, to wit: "And such return shall state the number of free white male children in each district between the ages of 5 and 15 years, over 15 and under 20, and such females between the ages of five and twelve years of age, and the number of schools usually kept in said district, the condition, character, qualifications of teachers, the number of scholars usually attending such schools, and the branches taught thereat;" which was read and rejected. Mr. Moyer moved to strike out one hundred in the fifth section, and insert fifty; which was agreed to¹.

Attempts to amend bill on third reading.

Upon the question, Mr. Exum demanded the yeas and nays, which are as follows:

Those who voted in the affirmative were, Messrs. Allison, Albright, Arrington, Baker, Biddle, Carson, Exum, Fox, Foy (of C. and Jones,) Franklin, Harper, Hawkins, Holt, Houlder, Melvin, Melchor, Morehead, Moore, Moody, Moyer, McDiarmid, Myers, Reid, Reding, Reinhardt, Rabun, Ribelin, Sharp, Williams of Beaufort, Williams of Person, Whitaker—31 yeas.

Vote in Senate on third reading,

Those who voted in the negative, were, Messrs. Bunting, Cherry, Henry, Kerr, Cooper, Davidson, Dockery, Ed-

¹ This decreased penalty for failure to serve as committeeman.

wards, Etheridge, Foy, of Onslow, Montgomery, Shepard, Speed, Spruill, Taylor, Wilson—16 nays.

The bill then passed by the following vote: Those who voted in the affirmative were, Messrs. Allison, Albright, Arrington, Baker, Biddle, Bunting, Carson, Cherry, Cooper, Davidson, Dockery, Edwards, Etheridge, Exum, Fox, Foy, of Onslow, Foy, of C. and Jones, Franklin, Harper, Hawkins, Henry, Hill, Houlder, Kerr, Melvin, Morehead, Moody, Moye, M'Diarmid, Montgomery, Reid, Reding, Reinhardt, Rabun, Ribelin, Sharp, Shepard, Speed, Spruill, Taylor, Williams of Beaufort, Williams of Person, Wilson—43 yeas.

Those who voted in the negative were, Messrs. Melchor, Moore, Myers, Whitaker—4 nays.

Ordered that said bill be engrossed.

—*Senate Journal, 1838-39, pp. 204 and 205.*

MR. CHERRY'S ENGROSSED BILL.

In the Senate, Thursday, Jan. 3, 1839.

A Bill to divide the Counties into School Districts and for other purposes.

Election to be held
on "School" or
"No School."

County to levy tax.
Each district to
receive \$100 from
Literary Fund.

I. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That it shall be the duty of the sheriffs of the several Counties of this State, when they advertise the next election for members of Congress, to give notice at the same time by public advertisement, in every election precinct, that an election will be held to ascertain the voice of the people upon the subject of Common Schools—and all who are in favor of raising by taxation a sum sufficient to establish a common school in each school district after receiving one hundred dollars per annum for each district from the Literary Board, will deposit their vote with the word "School" written on it—those opposed to it, will write "no school" upon their ticket and all who vote for members of the House of Commons shall be entitled to

vote. And it shall be the duty of the Poll Keepers to count the votes given at each precinct for School or no school, and to return the same to the sheriff, who shall count together all the votes, and if a majority shall be found in favor of schools, it shall be the duty of the sheriff to furnish a certificate of the same to the next County Court of his County, and any Sheriff failing to comply with the requisites of this act, shall suffer all the penalties imposed by law for failing to discharge his duty in any election for members of Assembly.

II. Be it further enacted, That the several Courts of Pleas and Quarter Sessions in each County of the State of North Carolina, shall, in such County as shall determine to accept these terms, at the first Court that may happen after such election, a majority of the Justices of such County being present, proceed to elect five discreet persons as a school committee for such County, and in such election it shall be necessary for a choice, that each of the Persons elected, shall receive a majority of the votes of all the Justices present.

County school committee of five to be elected by County Court.

III. Be it further enacted, That said School committee, after being thus elected, shall proceed as shortly thereafter as convenient, to divide their respective Counties into school districts for the purpose of establishing Common Schools: Provided, in laying off such School Districts, no district shall be less than six miles square, or as near that size as the nature of the country will conveniently admit.

Committee to divide county into school districts of thirty-six square miles.

IV. Be it further enacted, That said committee shall make a return of their divisions, and the number of school districts into which they have divided their counties, to the next County Court that may be held after their appointment, and it shall be the duty of said committee, in making their return, to designate as well as they may, the natural boundaries and prominent objects of the boundary of each of said Districts, and it shall be the duty of said

Committee return of districts and boundaries to be recorded.

Court to cause such return to be recorded in the Register's office of said County.

Failure of commit-
teeman to serve
subjects him to
penalty of \$50.

V. Be it further enacted, That if any person who shall be thus appointed to serve on said School Committee shall refuse or neglect to do so, he shall forfeit and pay the sum of fifty Dollars, to be recovered by action of debt in any Court of record in the State, and such penalty when recovered to be paid over to the President and directors of the Literary Fund, and to be appropriated to the Literary Fund. And it shall be the duty of the County Attorney for the State, to prosecute suit in all such cases for and on behalf of the President and Directors of the Literary Board.

Number of districts
to be reported to
Literary Board.

VI. Be it further enacted, That in any County where a majority of the votes have been for Common Schools, and a certificate of the same has been furnished by the sheriff to the school committee, it shall be the duty of the school committee to transmit the same, with a certificate of the number of school districts in their respective Counties to the President of the Literary Board.

Committee to
report counties
which adopt plan
to Literary Board.

VII. And be it further enacted, That if any of the Counties in this State shall adopt the plan, and the same shall be so certified by the school committee to the President of the Literary Board, it shall be the duty of the President and Directors of said Board to make report of the same to the next General Assembly, and to submit some plan for carrying the whole into execution, so far as it may be adopted, and for Schools to educate Teachers for the same.

Literary Board to
submit plan of
common and nor-
mal schools to next
Assembly.

—*From Unpublished Legislative Documents, 1838-39.*

10. MR. HILL'S ORIGINAL BILL.

Tuesday, January 1, 1839.—Mr. Hill¹ presented a bill for the establishment of Common Schools; which was read the first time and passed.

Hill introduces school bill in the House.

—*Journal House of Commons, 1838-39, p. 495.*

¹ Frederick J. Hill, of Brunswick.

A Bill for the establishment of Common Schools.

1. Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That the several Courts of Pleas and Quarter Sessions in each County of the State of North Carolina, shall, at the first Court which may happen in their respective Counties after the 1st day of May next a majority of the Justices of such county being present, proceed to elect five discreet persons as a School Committee for such County, and in such election it shall be necessary for a choice, that each, of the persons elected, shall receive a majority of the votes of all the Justices present.

County school committee to be elected by County Court.

2. Be it further enacted, That said School Committee after being thus elected, shall proceed as shortly thereafter as convenient, to divide their respective Counties into school districts for the purpose of establishing Common Schools: Provided, in laying off such school districts, no district shall be less than six miles square, or as near that size as the nature of the Country will conveniently admit.

Committee to divide county into districts of thirty-six square miles.

3. Be it further enacted, That said committee shall make a return of their divisions, and the number of school districts into which they have divided their Counties, to the next County Court that may be held after their appointment, and it shall be the duty of said committee, in making their return, to designate as well as they may, the

Committee report on districts to be recorded.

natural boundaries and prominent objects of the boundary of each of said Districts, and it shall be the duty of said Court to cause such return to be recorded in the register's office of said County.

Failure of commit-
teeman to serve
subjects him to
penalty of \$100.

4. Be it further enacted, That if any person who shall be thus appointed to serve on said school committee shall refuse or neglect to do so, he shall forfeit and pay the sum of one hundred dollars, to be recovered by action of debt in any Court of Record in the State, and such penalty there recovered to be paid over to the president and directors of the Literary fund, and to be appropriated to the Literary fund. And it shall be the duty of the County Attorney for the State, to prosecute suit in all such cases for and on behalf of the President and Directors of the Literary Board.

Election on
"School" or "No
School," County
to levy tax. Each
district to receive
\$100 from Literary
Fund.

5. Be it further enacted, That it shall be the duty of the Sheriffs of the several Counties of this State, when they advertise the next August elections, to give notice at the same time by public advertisement, in every election precinct, that an election will be held to ascertain the voice of the people upon the subject of Common Schools and all who are in favor of Raising by taxation a sum sufficient to establish a common school in each school District, after receiving one hundred dollars per annum from the Literary Board, will deposit their vote with the word "School" written on it,—those opposed to it, will write "no school" upon their ticket and it shall be the duty of the poll keepers to Count the votes given at each precinct for school or no school, and to return the same to the sheriff, who shall count together all the votes, and if a majority shall be found in favour of schools, it shall be the duty of the sheriff to furnish a certificate of the same to the school committee of his County, and any sheriff failing to comply with the requisites of this act, shall suffer all the penalties imposed by law for failing to discharge his duty in any election for members of Assembly.

6. Be it further enacted, That in any County where a majority of the votes have been for Common Schools, and a certificate of the same has been furnished by the sheriff to the school Committee, it shall be the duty of the school committee to transmit the same, with a certificate of the number of school Districts in their respective Counties to the President of the Literary Board.

Counties voting favorably to be reported by committee to Literary Board; committee also to report number of districts in such counties.

7. Be it further enacted, That if any of the Counties in this State shall adopt the plan and the same shall be certified by the school committee to the President and Directors of the Literary Board, then it shall be the duty of said Literary Board and they are hereby authorized to pay over to the school committee of any County so adopting, the sum for the establishment of a common school in each district which may have been laid off by said committee in conformity with the provisions of the 2d section of this act.

Literary Board to aid in support of schools in counties adopting the plan.

8. And be it further enacted, That any money arising from the fund hitherto set apart for purposes of internal improvement, be, and the same are hereby diverted from such purposes and shall be in future appropriated to the establishment and support of Common Schools. Provided that nothing herein contained shall be so construed as to interfere with or violate any contract heretofore entered into by the board of Internal Improvement.

Internal Improvement Fund to be used for school purposes.

Be it further enacted, That any county in the State, refusing to levy a tax in pursuance of the provisions of this act shall be entitled to a share of the literary fund in proportion to the number of school districts in said county to be applied exclusively to common schools¹.

Counties refusing to levy tax to share in distribution of Literary Fund, to be applied to common schools.

—From *Unpublished Legislative Documents, 1838-39.*

Thursday, Jan. 3, 1839.—Mr. Hill called up for consideration the bill for the establishment of Common Schools. Mr. Stallings moved to amend the bill by adding the following section:

Stallings' amendment, in House.

¹ Stallings amendment.

Be it further enacted, That any county in the State, refusing to lay a tax in pursuance of the provisions of this act, shall be entitled to a share of the Literary Fund in proportion to the number of School Districts in said county, to be applied exclusively to Common Schools.

Vote on Stallings' amendment.

The question on the adoption of this amendment was decided in the affirmative—yeas 62—nays 45.

Mr. Hill offered the following amendments:

Hill's amendment to appoint Superintendent of Public Instruction and prescribe his duties.

Be it further enacted, That it shall be the duty of the Literary Board to appoint an officer, with a competent salary, to be denominated "the Superintendent of Public Instruction," whose duty it shall be to visit and examine every section of the State; and the Committees of the several counties in forming the School Districts—modelling the school houses, and in procuring competent teachers. It shall further be the duty of said Superintendent to select the series of text-books and see that they are invariably used in every school—devise forms of reports to be required annually from every instructor, and to prepare a systematic digest of the same to be submitted to the General Assembly.

Be it further enacted, That it shall be the duty of the Superintendent of Public Instruction to obtain general statistical information, as well as such as is more immediately connected with the establishment of Common Schools. and report the same to the General Assembly at its next session.

Bill and amendments to be printed.

Pending the question on these amendments, on motion of Mr. J. P. Caldwell, *Ordered*, That said bill lie on the table, and that the bill, together with the proposed amendments, be printed.

—*Journal House of Commons, 1838-39, pp. 507-509.*

Hill's bill in committee of the whole.

Saturday, Jan. 5, 1839. The House took up for consideration the bill for the establishment of Common Schools, and resolved itself into a Committee of the Whole,

Mr. J. P. Caldwell¹ in the Chair; and after some time spent therein, the Speaker resumed the Chair, and the Chairman reported the said bill with sundry amendments. The amendments were concurred in, and the bill as amended, read the second time and passed.

Passed second reading.

The engrossed bill to divide the counties into School Districts (Senate Bill) and for other purposes, was taken up and amended by striking out the whole thereof after the enacting clause and inserting the various sections of the bill, entitled a bill for the establishment of Common Schools; when the said bill was read the second time and passed.

House bill substituted for Senate bill.

3 o'clock, P. M.

The bill for the establishment of Common Schools, was read the third time and passed. *Ordered*, That the concurrence of the Senate be asked in said amendment.

Third reading Hill's bill.

—*Journal House of Commons, 1838-39, pp. 536 and 537.*

¹ Joseph P. Caldwell, of Iredell.

11. HOUSE BILL REPORTED FROM COMMITTEE OF THE WHOLE.

[This bill omits the election to pass upon "school" or "no school" and also omits the county taxation feature of Mr. Cherry's bill and the same feature of Mr. Hill's bill.]

Five to ten county superintendents of schools to be appointed by County Court.

1. That the several Courts of Pleas and Quarter Sessions in each county of the State, at the first Court which may happen in their respective counties after the first day of May next, a majority of the Justices of said County being present, shall elect not less than five nor more than ten discreet persons as Superintendents of Common Schools; and in such election, it shall be necessary for a choice that each of the persons elected shall receive a majority of the votes of all the Justices present¹.

¹ The amendment to this section in the original bill is in the handwriting of William A. Graham, of Orange, Speaker of the House of Commons, 1838-1839, as is also an amendment to Mr. Hill's original bill striking out the last three sections. These amendments were adopted January 5, 1839.

Superintendents to elect chairman and divide county into districts of thirty-six square miles.

2. Be it further enacted, That said Superintendents, or a majority of them, shall meet within reasonable time thereafter and shall have power to choose one of their number as chairman, and shall proceed to divide their respective counties into school districts for the purpose of establishing common schools containing not more than six miles square but having regard to the number of the white children in each so far as they can ascertain the same: Provided nevertheless that no greater number of school districts shall be laid off in any county than shall be equal to one for every six miles square of inhabited territory in said county¹.

¹ The amendment to this section of the original bill is in the handwriting of William A. Graham.

3. Be it further enacted That said Superintendent shall number the districts and make return thereof to the first County Court in their several counties which shall be held after the first day of January, 1840; and it shall be the duty of said Superintendents in making their return to designate as well as they may the natural boundaries, prominent objects of the boundary of each of said Districts, and it shall be the duty of said Court to cause such return to be recorded in the Register's office of said county¹.

Return of districts to be made Jan., 1840; return to be registered.

4. Be it further enacted, That if any person who shall be thus appointed a Superintendent shall refuse or neglect to act after having accepted said appointment, he shall forfeit and pay the sum of one hundred dollars, to be recovered by action of debt in any Court of record in the State. and such penalty when recovered shall be added to the fund for Common Schools. And it shall be the duty of the County Attorney for the State to prosecute suit in all such cases for and in behalf of the President and Directors of the Literary Fund.

Failure of Superintendent to serve to subject him to fine of \$100.

5. Be it further enacted, that the aforesaid Board of Superintendents in each County, after completing the division as aforesaid shall appoint not less than three nor more than six *school committeemen* in each district, whose duty it shall be to assist said superintendents in all matters pertaining to the establishment of Schools for their respective districts, and that said committee under the direction of said superintendents, at some suitable place in each district, shall cause to be erected a school House sufficiently large to accommodate at least fifty scholars, and shall procure a deed to the committee of the district for a quantity of Land not exceeding five Acres embracing the scite of said school House. Provided the cost of the whole shall not exceed the sum of \$125.00 which shall be paid by the public Treasurer upon the warrant of the Governor out of the accumulations of the fund for Common Schools, upon

County superintendents to appoint six committeemen for each district.

Site of not more than five acres to be secured and house to accommodate at least fifty pupils to be erected.

Cost of house and land not to exceed \$125, to be paid for out of Literary Fund.

¹ This section was adopted in committee of the whole, and is, I think, in handwriting of Mr. Boyden, of Surry.

House and site
may be donated
and cost of same
drawn by district.

the certificates of the Chairman of the Board of Superintendents in each county that such buildings have been erected, and deeds executed. Provided however that if in any district a donation shall be made of a House and lot of Land or of either, or if the citizens thereof shall at their own cost or by their own labour construct such House, such district shall be entitled to draw such sum of money from the school fund in manner aforesaid as shall be paid to other districts for the construction of such Houses, and procuring the lots adjoining thereto.

Corporate powers
given committee.

6. Be it further enacted that the Committee of each school district shall be a body corporate so far as to prosecute and defend all actions relating to the property or affairs of said District, and shall have power as a corporation to hold in fee simple or otherwise any estate real or personal given to or purchased by them for the support of a school or schools in said District¹.

Committee to
employ teacher.

Crime to destroy
school property.

7. Be it further enacted; that said school Houses when completed may be immediately occupied by any teacher whom the school committee for such district may think proper to employ, and if any person shall wantonly and willfully burn, pull down, or in any manner destroy or injure any such school Houses when erected, he shall be guilty of a misdemeanor and on conviction thereof before the County or Superior Court, shall be imprisoned not less than one month and fined at the discretion of the Court.

Census of children
to be taken.

8. Be it further enacted, That if in taking the next census of the United States, congress shall fail to provide for ascertaining the number of Inhabitants, and especially of white children in the several school districts of North Carolina, it shall be the duty of the Governor as President of the board of common schools to make such arrangements with the Marshal of the United States for the district of North Carolina, or with his deputies in the several counties, or with such other person or persons as he may deem proper, to cause such census to be ascertained, together

¹This section is in the handwriting of Mr. Boyden, of Surry, I think.

with any other information which he may deem important to the establishment of a just and equal system of common schools throughout the state, and to communicate the same together with a full report of the returns of the superintendents in the several counties, and the proceedings of the Board of Common Schools under this act.

9. And be it further enacted, That it shall be the duty of the County Trustee, or the agent of Public accounts in each County to transmit to the Governor as President of the Board of Common Schools, a full and accurate statement of the whole amount of taxes levied and collected in his county for the years 1839 and 1840, excepting the Public revenues paid into the Public Treasury by the sheriffs, specifying in such statement, what were the subjects from which such taxes were levied, and how much from each source of taxation, also a full and true account of the disbursements of the monies so collected, showing specially what amounts have been paid for the prosecution of Insolvent criminals and their maintenance in Jail, and that such statements shall be returned to the Governor on or before the first day of December 1840. And if any County Trustee or other agent of Public accounts shall fail to make return as aforesaid, he shall forfeit and pay the sum of two hundred dollars, to be added to the fund for Common Schools and it shall be the especial duty of the solicitor of each county to sue for the same, if any failure shall occur in his county¹.

Report of tax funds
to be made to
president of Lit-
erary Board.

—*Unpublished Legislative Documents, 1838-9.*

¹ Sections 5, 7, 8, and 9 of this bill are in the handwriting of Wm. A. Graham, of Orange, being additions to Mr. Hill's original bill. They were adopted in committee of whole House, January 5, 1839.

12. THE CONFERENCE BILL.

Senate rejects
House bill.

Monday, January 7, 1839.—Received from the House of Commons a message, stating that they have passed the engrossed bill to divide the counties into School Districts and for other purposes with an amendment, to wit: Strike out all the bill, except the enacting clause, and insert the substitute marked A; in which they ask the concurrence of the Senate. The substitute was then read. Mr. Moore moved to divide the question, so as to take it on the first part; which was decided in the negative, by the following vote: 7 yeas, 30 nays.

The question was then taken on the amendment proposed by the House of Commons, and decided in the negative by the following vote: 9 yeas, 28 nays. .

—*Senate Journal, 1838-39, pp. 231 and 232.*

Conference committee asked by
House; Senate appoints conferees.

Monday, January 7, 1839.—Received from the House of Commons a message, stating that they insist on their amendment to the engrossed bill to divide the counties into School Districts and for other purposes, and propose a Committee of Conference on the said amendment; which was agreed to. The Committee of Conference on the part of the Senate are Messrs. Cherry, Shepard, and Moore. and the House of Commons was informed thereof by message.

—*Senate Journal, 1838-39, p. 233.*

House appoints
conferees.

Monday, Jan. 7, 1839.—A message from the Senate, informing that they do not concur in the amendments made by the House of Commons to the Senate's "bill to divide the counties into school districts and for other purposes."

On motion, *Ordered*, That the Senate be informed that the House do insist on their said amendments, and ask a Committee of Conference on the disagreement of the two Houses thereon.

A message from the Senate concurring in the proposition of this House that a Committee of Conference be appointed on the disagreement of the two Houses in the amendments to the Senate's bill to divide the counties into School Districts, and informing that Messrs. Cherry, Shepard, and Moore form said Committee on their part. *Ordered*, That Messrs. Boyden¹, Hill, and Gilliam form said Committee on behalf of the Commons.

—*Journal House of Commons, 1838-39, p. 542.*

¹ Nathaniel Boyden, of Surry.

Monday, January 7, 1839.—Mr. Cherry, from the Committee of Conference upon the subject of Common Schools reported a bill which was read and concurred in, by the following vote: Those who voted in the affirmative, were: Messrs. Allison, Albright, Baker, Biddle, Cherry, Cooper, Davidson, Dockery, Edwards, Etheridge, Exum, Melchor, Moore, Moye, McDiarmid, Montgomery, Reid, Reding, Rabun, Ribelin, Sharp, Shepard, Fox, Franklin, Harper, Hawkins, Houlder, Kerr, Speed, Taylor, Williams of Beaufort, Williams of Person, Wilson—33 yeas.

Senate accepts
conference bill.

Those who voted in the negative were, Messrs. Holt, Spruill, Whitaker—3 nays.

—*Senate Journal, 1838-39, pp. 237 and 238.*

AMENDMENTS PROPOSED BY THE COMMITTEE OF CONFERENCE: SENATE BILL.

1st Section, 9th Line strike out after the word "taxation" the words "a sum sufficient to establish a Common School after receiving one Hundred Dollars per annum for each District from the Literary Board" and insert—"one Dollar for every two Dollars proposed to be furnished out of the Literary Fund for the establishment of common schools in each school District."

2nd Section 6th Line Strike out "Five discreet persons as a School Committee" and insert "not less than five nor more than ten persons as Superintendents of Common Schools."

Strike out the 3 and 4th Sections of the Senate Bill and insert the 2 and 3rd Sections of the Commons Bill and also 5th Section to the words "respective Districts in 7th Line."

Section 5th 2nd Line strike out "School Committee" and insert as Superintendent—in same section 3rd Line after the word so insert "after having accepted said appointment."

Section 6th 4th Line Strike out "School Committee" insert "said Superintendants of Common Schools" 5th Line same section strike out "School Committee and insert "Superintendents."

Strike out Section 7th and insert

VIII. Be it further enacted that in every county in the State where the vote shall be in favor of common schools it shall be the duty of the said County Court at the first term that shall happen after the 1st Monday in January 1840 a majority of the Justices being present to levy a tax to the amount of twenty Dollars for each District in said County in the same manner that other County taxes are now levied for other county purposes to be paid over to the School Committee of the respective Districts upon the certificate of the Chairman of the Board of Superintendants.

IX. Be it further enacted that forty dollars out of the nett income of the Literary fund for the year 1839 is hereby appropriated to each District in said Counties, where the vote shall be in favor of the establishment of Common Schools, which shall be paid by the public Treasurer upon the warrant of the Governor, upon the Certificates of the Chairman of the Board of Superintendents of said Counties, that taxes have been levied to the amount of twenty Dollars for each School District in their respective Counties and that school Houses have been erected in each District sufficient to accommodate at least Fifty Scholars.

Be it further enacted that every County which shall refuse or neglect to levy the tax and build the school Houses herein specified shall at any time hereafter be entitled to receive the forty Dollars hereby appropriated to each District upon complying with the terms hereinbefore specified.

Insert 8 and 9th Sections of Commons Bill.

—*Report of Conference Committee, Unpublished Legislative Documents for 1838-39.*

Monday, Jan. 7, 1839.—A message from the Senate, informing that they concur in the amendments proposed by the Committee of Conference to the engrossed bill to divide the counties into School Districts and for other purposes. *Ordered*, That the Senate be informed that this House do likewise concur in the report of the Committee of Conference. *Ordered*, That said bill be enrolled.

House adopts
Conference bill.

—*Journal House of Commons, 1838-39, p. 549.*

Monday, January 7, 1839.—Received from the House of Commons a message, stating that they concur in the report of the Committee of Conference, on the bill to establish Common Schools.

—*Senate Journal, 1838-39, p. 239.*

FIRST SCHOOL LAW AS FINALLY AGREED UPON.

CHAPTER VIII.

(An Act to divide the Counties into School Districts, and for other purposes.)

Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, That it shall be the duty of the Sheriffs of the several Counties in this State, when they advertise the next election for members of Congress, to give notice, at the same time, by public advertisement in every election precinct that an election will be held to ascertain the voice of the people upon the subject of Common Schools; and all who are in favor of raising by taxation, one dollar for every two dollars proposed to be furnished out of the Literary Fund, for the establishment of Common Schools in each School district, will deposit their vote with the word, "School" written on it; those opposed to it will vote "No School" upon their ticket; and all who vote for members of the House of Commons, shall be entitled to vote; and it shall be the duty of the poll keepers to count the votes given at each precinct for School or No School, and to return the same to the Sheriff who shall count together all the votes; and if a majority shall be found in favor of Schools, it shall be the duty of the Sheriff to furnish a certificate of the same to the next County court of his County; and any Sheriff failing to comply with the requisitions of this Act, shall suffer all the penalties imposed by law for failing to discharge his duty in any election for members of Assembly.

II. Be it further enacted, That the several Courts of Pleas and Quarter Sessions in each County of the State of North Carolina, shall, in such County as shall determine, to accept these terms, at the first Court that may happen after such election, a majority of the justices of such County being present, proceed to elect not less than five nor more than ten persons, as Superintendants of Common Schools, for such County; and in such election, it

shall be necessary for a choice that each of the persons elected shall receive a majority of the votes of all the Justices present.

III. Be it further enacted, That said Superintendents or a majority of them, shall meet within a reasonable time thereafter, and shall have power to choose one of their number as Chairman, and shall proceed to divide their respective Counties into School Districts, for the purpose of establishing Common Schools, containing not more than six miles square, but having regard to the number of the white children in each, so far as they can ascertain the same: *Provided, nevertheless*, that no greater number of School districts shall be laid off in any County than shall be equal to one for every six miles square of inhabited territory in said County.

IV. Be it further enacted, That said Superintendents shall number the districts, and make return thereof to the first County Court in their several Counties, which shall be held after the first day of January, one thousand eight hundred and forty; and it shall be the duty of said Superintendents in making their return, to designate, as well as they may, their natural boundaries and prominent objects of the boundary of each of said districts; and it shall be the duty of said Court to cause such return to be recorded in the Registrar's office of said County.

V. Be it further enacted, That the aforesaid Boards of Superintendents, in each County, after completing the divisions as aforesaid, shall appoint not less than three, nor more than six School Committee Men, in each district, whose duty it shall be to assist said Superintendents in all matters pertaining to the establishment of Schools for their respective districts.

VI. Be it further enacted, That if any person who shall be thus appointed to serve as Superintendent, shall refuse or neglect to do so after having accepted this appointment, he shall forfeit and pay the sum of fifty dollars, to be recovered by action of debt, in any Court of Record in

this State; and such penalty, when recovered, to be paid over to the President and Directors of the Literary Fund, and to be appropriated to the Literary Fund; and it shall be the duty of the County Attorney for the State, to prosecute suit in all such cases, for and on behalf of the President and Directors of the Literary Fund.

VII. Be it further enacted, That in any County where a majority of the votes have been for Common Schools, and a certificate of the same has been furnished by the Sheriff to said Superintendents of Common Schools, it shall be the duty of the Superintendents to transmit the same, with a certificate of the number of School Districts in their respective counties, to the President of the Literary Board.

VIII. Be it further enacted, That in every County in the State, where the vote shall be in favor of Common Schools, it shall be the duty of the said County Courts, after the first terms that shall happen after the first Monday in January, one thousand eight hundred and forty, a majority of the Justices being present, to levy a tax to the amount of twenty dollars for each district in said County, in the same manner that other county taxes are now levied for other county purposes, to be paid over to the School Committee of the respective districts, upon the certificate of the Chairman of the Board of Superintendents.

IX. Be it further enacted, That forty dollars out of the nett income of the Literary Fund, for the year one thousand eight hundred and thirty nine, is hereby appropriated to each district in said counties where the vote shall be in favor of the establishment of Common Schools, which shall be paid by the Public Treasurer, upon the warrant of the Governor, upon the certificate of the Chairman of the Board of Superintendents of said Counties, that taxes have been levied to the amount of twenty dollars for each School District in their respective counties, and that School houses have been erected in each district, sufficient to accommodate at least fifty scholars.

X. Be it further enacted, That every County which shall refuse or neglect to levy a tax, and build the School houses herein specified, shall at any time hereafter be entitled to receive the forty dollars hereby appropriated to each district, upon complying with the terms hereinbefore specified.

XI. Be it further enacted, That if in taking the next census of the United States, Congress shall fail to provide for ascertaining the number of inhabitants, and especially of white children, in the several School districts of North Carolina, it shall be the duty of the Governor, as President of the Board of Common Schools, to make such arrangement with the Marshal of the United States for the District of North Carolina, or with his deputies in the several counties or with such other person or persons as he may deem proper, to cause such census to be ascertained, together with any other information which he may deem important to the establishment of a just and equal system of Common Schools throughout the State: and to communicate the same together with a full report of the returns of the Superintendents in the several counties and the proceedings of the Board of Common Schools under this Act.

XII. And be it further enacted, That it shall be the duty of the County Trustee, or the Agent of Public Accounts in each county, to transmit to the Governor as President of the Board of Common Schools, a full and accurate statement of the whole amount of taxes levied and collected in his county for the years one thousand eight hundred and thirty-nine and one thousand eight hundred and forty, (excepting the Public Revenues paid into the Public Treasury by the Sheriffs) specifying in such statement what were the subjects from which taxes were levied and how much from each source of taxation; also a full and true account of the disbursements of the monies so collected, showing specially what amounts have been paid for the prosecution of insolvent criminals, and their

maintenance in Jail; and that such statements shall be returned to the Governor on or before the first day of December, one thousand eight hundred and forty; and if any County, Trustee, or other Agent of Public Accounts shall fail to make return as aforesaid, he shall forfeit and pay the sum of two hundred dollars, to be added to the fund for Common Schools; and it shall be the especial duty of the Solicitor of each County to sue for the same if any failure shall occur in his county.

—*Laws 1838-9.*

[It will thus be seen that sections VIII, IX, and X, of the bill as finally enacted into law were not in either the Senate or the Commons bill, but were formulated by the Conference Committee. Sections XI and XII were in the last draft of the Commons bill and were written by Wm. A. Graham. Sections VII, VI, V, II, and I of the bill which was finally enacted are substantially as Mr. Cherry wrote them. Sections III and IV of the final enactment were taken from the Commons bill, as proposed by Mr. Hill.]

13. NEWSPAPER COMMENT ON SCHOOL BILLS.

Thursday, January 3, 1839.—On motion of Mr. Cherry, the bill to divide the counties into school districts, and for other purposes, was read the third time; and, after ineffectual attempts to amend by Messrs. Moore and Whitaker, it was amended, on motion of Mr. Moye, passed and ordered to be engrossed.

Amendments to
Cherry bill in
Senate.

—*Raleigh Register Report of Senate Proceedings, Jan. 7, 1839.*

Saturday, Jan. 5, 1839.—The greater part of the sitting was spent in discussing the School bill from the Senate, which was finally stricken out *in toto*, and a bill heretofore introduced by Dr. Hill was inserted as a substitute, which was variously amended by the motions of Messrs. Graham and Boyden, and finally passed by an overwhelming majority.

House action on
Cherry bill.

—*Raleigh Register Report of Commons Proceedings, Jan. 7, 1839.*

A bill is also before the Senate presented by Mr. Cherry, for the establishment of free schools. It provides that the vote shall be taken in each county, "school" or "no school"; and every county voting for schools shall be laid off into school districts, 6 miles square, in which free schools shall be established, and supported by an appropriation of \$100 to each district from the Literary Fund, and a tax upon the county for the balance.

Statement of pro- &
visions of Cherry
bill.

—*From Raleigh Star Editorial, Jan. 2, 1839.*

Statement of provisions of Hill's bill.

Tuesday Jan. 1, 1839.—Mr. Hill presented a bill for the establishment of Common Schools. Read first time. [This bill does not differ materially from Mr. Cherry's, except that it provides for the schools going into operation more immediately, and sets apart all the stocks of the State, as a fund for their support.]

—*From Report of Commons Proceedings, Raleigh Star, Jan. 9, 1839.*

14. THE EDUCATIONAL CAMPAIGN OF 1839.

The Raleigh *Star* on COMMON SCHOOLS.—When we enlarge our paper, it is our design to devote a department of it to the publication of such information, and sentiment, and practice, with regard to Common Schools, as will we hope, prove both acceptable and useful to, the people of North Carolina. The plan devised by the recent Legislature of dividing the counties into School Districts, will be ratified or rejected in August ensuing; and though there can be no doubt with regard to a proper decision, we yet hope the friends of Education will so diffuse information on the proposed system, prior to that period, as to place the contingency of its rejection beyond probability.

Attention will be given school question; people urged to spread school sentiment.

At this age of the world, and under our free form of government it would seem unnecessary to advocate the cause of Education. Its value is apparent to all; but, we regret to say, its diffusion in the Southern country has not hitherto been commensurate with the responsible duties which devolved upon the past generation, and which now bear with such peculiar magnitude upon ourselves. Our most enlightened statesmen have long viewed this defect, or rather, lack of Education among the people, with regret; and that feeling of regret has been more pungent when they have contrasted with ourselves those of our northern sisters who have been, and who are still making honorable and giant strides in the great cause of popular learning. They have witnessed with patriotic pride the success of the school systems of Connecticut, Massachusetts, New York and Pennsylvania; they have seen Education stimulating improvement of territory and performing wonders in the departments of arts and sciences; they have seen the millions who now live in those States qualified on their entrance into manhood to assume at once the high prerogatives of self-government; they have pondered

South behind in general education.

Our statesmen have regretted the lack of education of the people.

Results of education.

the subject in all its bearings, and a system has at length been originated in North Carolina which, if sanctioned by the people, is destined to become the fountain of pure manners, pure morals, and pure politics.

Appeal to parents.

To parents the claims of this system are addressed with peculiar force. They have here, no matter what may be their poverty, a system which offers to them, in addition to the free education of their offspring, the highest gratification which a patriotic feeling parent can desire—*that of seeing their children endowed with sound learning, established in good morals, and qualified for the responsible duties of popular government.*

Appeal to youth ; public education not charity.

To those poor youth of our State who are aiming at honor and eminence, the appeal to embrace the advantages of this system comes with two-fold power. Their ignorance is not to them a reproach—nor will they acquire learning under this system as pensioners upon the public bounty. That which is general is the just right of all, whether it benefit the rich or the poor. As inducements to embrace this system they should remember with pride that our government offers its highest honors and inducements to all ; that Nature gives talent with indiscriminate profusion—and that, whatever may be their personal supineness or activity, the great drama in which they are called to act imperiously commands them to accept, as it freely offers to them the means of becoming good citizens and ardent and intelligent advocates of Constitutional Liberty.

Appeal to good citizens.

To the good citizens—to all—this system recommends itself as worthy of trial—of confidence. Support it, if you would strengthen the pillars of Representative Government! Abandon it, if you would quench that Promethean fire which returned the light of freedom in the western world!

—*Raleigh Star, March 13, 1839.*

[During the school campaign of this year, The Star printed two or three articles on common schools, copied from The Common School Journal. These articles had no relation to the question at issue.]

WHY ONLY \$40 WAS APPROPRIATED.—The sum appropriated, to wit, \$40.00 was fixed on because it was thought that there would only be a few months between the time of the law's going into effect and the meeting of the next Legislature. The income of the Literary fund would have allowed more, say about \$100 for each district, but it was deemed unnecessary to go beyond that sum, for the small portion of time during which it was to operate.

—*From Carolina Watchman, in Raleigh Register, April 10, 1839.*

CAROLINA WATCHMAN'S ARGUMENTS IN FAVOR OF THE SCHOOL LAW.—Seven eighths of the money paid as county taxes by the people of North Carolina, is laid out in paying for Court Houses, Jails, Whipping Posts: in the maintenance of insolvent persons, and for bringing offenders to justice. The greater portion of the remaining one eighth is disbursed in the payment of Jurors and special Justices. A very small amount is paid for any enduring public work. Some few bridges are constructed at public expense, and that we believe, is the only item in which any of the public tax is expended for public convenience. These county taxes constitute much of the aggregate paid by the citizen, and they amount to a very serious proportion of the annual income of most of us: Yet these taxes to keep down vice and crime, and to compel men to do justice, are paid cheerfully, because there would be no living in peace without them. Yet some complain of the tax proposed by the School Law as a great burthen? What! a burthen to pay a tax to educate your own children, in your own neighborhoods, where most of the money is expended? The money is not carried off as that paid to Merchants, but it is paid to honest School Masters, who will have need to spend most, if not all of it, in the very communities where it is paid, and not only so, but will spend twice as much which will be received from the State:

Little of county taxes now devoted to anything but courts.

School tax is not a burden, for it will be spent at home.

This tax will
lessen crime.

much of which will find its way into the pockets of those who pay the other third. A complaint of such a tax is most unnatural and strange. No complaint is made for that which goes for the use of the guilty vagabond, but when it comes to a tax to make sensible and virtuous men of your children, and to prevent them from becoming such guilty vagabonds, oh! it is a mighty hardship. This is not reasoning or feeling like rational creatures.

Captious criticism
of school law.

But in addition to the tax, we have heard it complained that each school district has to build an expensive house before they can enjoy the advantages of the system. This objection reminds us of a grumbler who objected to the dinner which the King sent down to a starving community, because the roasted ox had not been cut up into steaks.

* * * * *

Some claim educa-
tion is not a neces-
sity.

There are some self-sufficient ones in this county, who say they never had any education, and they have got on tolerably well, and their children can do as they did. We were told a joke on one of these gentlemen which we think will answer as well as any argument we could advance. This *natural genius*, had been holding forth at a gathering against the School Bill, and holding up his own success in life as a proof that *natral sense* was better than *education*: In the midst of his harangue a neighbor took him out to pay him off the balance on a note which he held. Neither creditor nor debtor understanding figures, they called to a School master in the crowd to come and calculate the interest for them. "Let Mr. M. do it by his *natral sense*," said he of birchen sceptre: and the crowd shouted at the expense of the *genius*.

Discomfiture of a
man who argued
for ignorance.

* * * * *

—*Carolina Watchman, Reprinted in Raleigh Star of May 8, 1839.*

THE RALEIGH REGISTER'S ARGUMENTS. Let the voters of the several Districts sanction the Bill for establishing Common Schools and they will have founded on a secure and permanent basis the welfare and honor of their State. They will place our free institutions on an eminence not to be shaken by the attacks of fanaticism or violence—against whose base the storm of faction and discontent may in vain hurl its fury. The popular intelligence is the mighty lever of a free government; in despotic and tyrannical nations alone, can ignorance hope to defy the supremacy of reason and of justice. We hail as the harbinger of a brighter and happier era, the passage of this Bill by our Legislature. Its success will be the downfall of error and corruption. Popular demagogues can no longer stand up before honest and well meaning constituency, and rail against measures calculated to advance the prosperity of their State. Such efforts will be looked upon in their true light, and frowned down by the voice of popular condemnation. The demagogue may, in vain, endeavor to propagate his heresies; visionary upstarts may solicit encouragement and success with no avail. Their motives and purposes will be understood and reprobated; and their untiring exertions against correct and salutary principles will have no more effect with the people, than have the foaming waves on the flinty rock, against whose sides they dash and break with impotent fury.

Public schools necessary to honor and welfare of State.

Schools will make demagogues scarce.

Education will bring prosperity.

Some gentlemen in the Legislature seemed to be afraid of shocking public sentiment by this decided stand. We are confident they will be mistaken. The people of North Carolina will not withhold their assent to a measure, the benefits of which are to be the property and inheritance of their children. In taxation for ordinary purposes, the application is unknown and imperceptible; but, in this instance, it is expended in full view of their own homesteads—it is seen in the school house, the laughing throngs of innocent children, and in the daily improvement of

Public sentiment will endorse school law.

their own offspring. However strong may be their grasp upon property, here is a temptation irresistible. It is a *draft* of children and of innocence on the overflowing treasury of a Parent's heart. And will it be dishonored? "O, holy nature, thou dost never plead in vain."

—*Raleigh Register*, Jan. 14, 1839.

School law on New York plan.

EDUCATION IN NORTH CAROLINA.—This State, always among the first in wealth, population, and character in the Union of the "old Thirteen," and now among the first in grand enterprises to develop her resources, moral, intellectual, and physical, has wisely adopted in recent legislative enactment, the New York District System, for Common School Education.—Copied from *New York Star*.

—*Raleigh Register*, Feb. 11, 1839.

Friends of schools urged to spread knowledge of the law.

RUTHERFORDTON GAZETTE'S ARGUMENTS. We are glad to see that the subject of "Common Schools," is exciting so much interest throughout the State. It is certainly a subject of deep interest to every citizen of the State, and more especially, to that honest portion of our people, whose humble circumstances in life, withhold from them the blessings of Education. The plan proposed, is such that it must eventually succeed, and great benefit accrue from it, if the people can be induced to make the experiment. We trust that the friends of Education, in every section of our State, will exert themselves in diffusing information among the people on this subject, previous to the elections in August, when the question will be submitted; let them see and correctly understand the principles upon which these schools are to be established, and there will not be a dissenting voice among those who properly appreciate the value of Education. It is a lamentable fact, that our State has been too lukewarm upon the subject of Popular Education. It is the basis of all free Governments, and if we wish to preserve pure and

inviolate our free Institutions, the minds of the people must be enlightened: Our talented Statesmen have long endeavored to impress these truths upon the minds of the people. They have foreseen the evils which must result, if the mass of the people are suffered to remain in a state of savage ignorance. In the North, the system of Public Schools has been adopted, and their people are now prospering under its benign influence. With this example before us, why should we of the South continue longer idle in a cause the importance of which none will question? To all Parents this subject addresses itself with peculiar force: An opportunity is here offered to all, for qualifying their children to discharge the duties of good and useful citizens; it is not confined to the rich or poor; all are invited to partake of its blessings; to the poor talented youth especially, who might otherwise be bred up in ignorance and vice, it is made a stepping stone to honor and preferment. Ours is a Government of the People; merit constitutes the passport to honor and office; the road to promotion is open to all who desire it. In conclusion we would remark, that it is incumbent upon all who feel an interest in the welfare of our common country, to impress this matter upon the minds of the people; the tax money to be paid is indeed trifling, compared to the benefits to be derived from the completion of the work.—Copied from *Rutherfordton Gazette*.

Evils to result from ignorance of the masses.

Benefits of education.

Prosperity of the State at stake.

—*Raleigh Register*, April 6, 1839.

NEWBERN SPECTATOR ON SCHOOLS.—We republish today, the Act of Assembly on this important subject to which we solicit the attention of every friend of education, every good and patriotic citizen. We have learned, not with surprise, but with real sorrow, that many of the worst specimens of the Administration party are actually decrying this first attempt of the State to educate the rising generation, and using every heartless and wicked argu-

Patriotic duty to vote for schools.

Some Democrats oppose the law.

ment to make it unpopular with those thoughtless creatures whom they can influence! This they do, merely because the bill was passed by a Whig Legislature, and because they know that it would have been passed, and in effectual operation years ago, had the Whigs of the State had the ascendancy. We have not had the mortification of hearing any man declare his open hostility to this salutary and excellent measure, for we avoid, as far as possible, the society of men so depraved as to desire to keep the minds of the youth of the State in utter darkness; but we know from good authority that we have among us persons (men they can not be) who have so slight a regard for personal respectability and for the general good, as to electioneer against the establishment of Common Schools! If the hosts of ignorance prevail in crushing this incipient and laudable attempt, the triumph will be but momentary; for a spirit is around the State, aye, even within it, which will ere long burst the mental bonds that unreflecting and heartless partisans have so long imposed on our people. In this fact is our hope, and we will not be disappointed. Their proper classes of North Carolina will not much longer consent to be cheated by such men, of all that makes life desirable.—*Newbern Spectator*.

The triumph of
ignorance can only
be temporary.

—*Raleigh Register, June 22, 1839.*

THE SHERIFF OF STOKES COUNTY ON THE SCHOOL LAW. The "*Greensboro Patriot*" confirms the rumor, that some of the leading adherents of the Administration party, in Stokes County, are endeavoring to pervert the School Act into their service in the Congressional Canvass. The Sheriff of Stokes, in advertising the School Election, agreeably to the requisition of the law, avails himself of the occasion, to express his opinions in its favor. The reader will perceive that his remarks are interspersed with a choice selection from the democratic vocabulary of "them parts."

Permissive act
only.

"This is simply an Act of the Legislature, granting you the privilege of expressing your own opinions upon

the subject, with the sanction of the legislative authority. And I, as one of the people, to say the least of it, or call it by the mildest name that I can think of, should pronounce it 'rusticatical' and 'diranical' in the Legislature or any member thereof, to say that I should not express my opinion upon the subject. But I am aware that there are certain individuals in the community who are endeavoring to excite alarm among you, and 'bugology you', and frighten you from voting for the school system, by telling you if you do, you will smell a polecat—that it is intended to tax the poor for the benefit of the rich—that you will be taxed higher than all creation can pay, and finally in a few years, you will be "distinguished" like Jackson 'distinguished' the national debt. As a matter of curiosity, I should like to see the man 'extinguish' himself by stepping forward and telling us in plain English language, had he been a member of the Legislature, would he have voted against the people expressing their opinion upon the subject. If there be a man among us so 'rusticatical' and 'diranical,' I should like to know who he is. This I call high toned black cockade federal doctrine, and he who entertains such doctrine, is embarked in the same bottom with the elder John Adams, when he said, 'the people were the worst enemies to themselves.' The same sentiment is to be found in John Q. Adams' message to Congress when he said the action of the Representative should not be palsied by the will of his constituents. And the same sentiment may be found in President Van Buren's message to Congress, when he recommended Congress to go behind the ballot boxes and inquire what influenced the people of the State of New York in giving their votes, when they went so strong against his administration—especially his Sub Treasury Scheme. It is at once distrusting and saying, in a round-about way, that the people are incapable of self-government.

Tax bugaboo.

Federalism to deny the people's wisdom.

"Fie, fie, gentlemen! if you really believe it is wrong to educate the poor, or that the people are incapable of self-

Is it wrong to educate the poor?

government—or in other words, in the language of old John Adams,—that ‘the people are the worst enemies to themselves,’—throw off your ‘consumed’ mask and shield of ‘democratic republicanism,’ and come out with the black cockade on, in plain English language, in order that you may ‘extinguish’ yourselves.

“If you should say, by your votes that you do not want a system of Common Schools established as proposed by the Legislature, there will be an end of the matter. The State can and will appropriate its funds to other purposes.

“For once in the course of legislation, the poor have got the advantage of the rich, if they will hold on to it. Many of the most wealthy men in this country, have no children to educate, they will have taxes to pay to help to educate the poor.”

—*Raleigh Register*, July 6, 1839.

Law in interest
of poor.

Popular miscon-
ception as to the
law.

TWO MEMBERS OF LEGISLATURE ON THE SCHOOL LAW. To the Freemen of Davidson County.—Fellow Citizens:—At the close of the last Session of the Legislature, we resorted to the usual mode of giving you an outline of the proceedings of that body: of the laws the Legislature made obligatory upon you, by distributing a large number of Captions through the county, but learning with regret the act in relation to Common Schools is misconstrued and misrepresented, and being solicited by many of our constituents who feel a deep and lively interest in the subject, to give an exposition of the Act, and its operation upon the people collectively and individually, if ratified by them at the next August Election, we have most cheerfully consented to do so, and hope to make it so plain that he “who runs may read.”

For a fair elucidation of the policy of the Common School system now contemplated, and its origin, it will be necessary to advert to the earliest history of our Government.

The framers of the Constitution feeling a deep and lively interest in all the subjects connected with the rights and the happiness of man, and knowing too, a government securing a perpetuity of these blessings to them and posterity, must rest upon the virtue and intelligence of its People, and as a primary step to the encouragement of these virtues, incorporated an article into the constitution providing for the establishment of Schools * * * *. The same philanthropic and patriotic principle is seen in the various State Constitutions, and many of these States are now exhibiting to the world the practical utility of the Common School system, and furnish us with the light of experience to guide us in this new State enterprise. [Here follows an account of the establishment of the University and the Literary Fund, also the main provisions of the School Law of 1838-39.]

Our Constitution and those of other States provide for schools.

We have now given you an outline of the act, and it is a subject that claims our most serious consideration; it involves consequences of the highest moment both to the present and future generations; it lays the foundation of a system, which if carried into successful operation, will work a vast revolution in the intellectual, moral and physical condition of North Carolina: it will introduce the blessings of Education into the poor man's cottage as well as the rich man's palace; develope and bring into active life great mental resources which would otherwise remain buried in obscurity; resuscitate the sinking energies of the State, and ultimately elevate her to that proud and eminent station among the members of this Confederacy to which she is justly entitled. One might reasonably suppose that a measure fraught with so much public and private good would be cherished and sustained by all classes of the community, but we learn with deep regret that such is not the case. We are informed in some parts of the County it is zealously opposed, and objections as numerous as the locusts of Egypt, are urged against it. We will here notice the greatest objections we have heard:

Public schools will work moral, mental and physical revolution.

Much opposition to establishing schools.

Taxation the great
objection; answer
to this objection.

Among them taxation is the most prominent, and we will examine it somewhat in detail. The number of Districts in the County we are confident cannot exceed 24; for each of these \$20 must be raised by taxation as other county taxes are raised, and will make in the aggregate \$480. The valuation of the land in the county is \$962,542, and there are 2364 taxable polls. A tax of 3 cents on one hundred dollars value of land will amount to \$288.76—and 10 cents on the poll to \$236.40, making an aggregate of \$525.16—which shews an excess of \$45.16 more than is required. Some intelligent men believe there will not be more than 20 Districts in the county: if so, the tax will be diminished one sixth of the above rates.

We have now shown what would be required of the whole county: we will now endeavor to shew how it would operate upon us individually by this rate of taxation and by a few illustrations each man will be enabled to calculate to a fraction how much he will have to pay annually to secure his children a lasting and invaluable legacy, which the caprice of fortune can never take from them. Suppose A owns \$5000 worth of land and 20 polls, his tax will be \$3.50 a year, not enough to pay the tuition of one scholar six months, but as very few of our citizens would be subject to that amount of tax, we will take another case and say that B's lands are worth \$1000 and he has 5 polls—his tax would be 80 cents a year. The lands of a majority of the freeholders are not valued at more than \$500 for each which one poll would be 25 cents a year and in 15 years would amount to \$3.75, which would pay the schooling perhaps of a large family of his own children and aid in educating a host of pennyless orphans. Suppose this same man has five children to school, and he was to send them to school five years a piece, and pay \$8 per scholar, without paying board, it would cost him \$200: compare the difference! The unfortunate man with no land would only have to pay the whole time he would be subject to tax but \$2.40. Thus we have presented the

taxing feature of this law, and flatter ourselves you will agree with us there is nothing very frightful. We know to men of contracted minds, taxation for anything is viewed as an intolerable evil—a monstrous oppression, that ought not to be tolerated in a free country, but to men of enlightened minds and enlarged views it is a necessary evil that must be endured in all well regulated governments for the protection of good morals, and the support of government. The tax required to educate our children in our own neighborhoods, without sending them from home, is not perhaps one fourth of what we are annually paying for vice, crime and pauperism. If the effects of moral and intellectual education should operate to the diminution of crime here as it has done elsewhere, we may confidently expect our County taxes to be lighter if our school system is ever successfully put into operation. It is said it will be hard for the rich man to pay for the schooling of the poor. If it will cost the rich man less to school his children at the “Common Schools” than it now does, there can be no just grounds for complaint, even though they have to contribute something for the benefit of those who are needy and in destitute circumstances * * *.

Taxation a mark
of all well-regula-
ted governments.

Other objections
answered.

Again, it is said it operates with peculiar hardship upon those who have educated their children, and on such as have none to educate. We would say to the former, if they have educated their children, they are pretty well advanced along the journey of life, and consequently will have but little to pay for the support of schools, and in their declining days it will be a source of consolation to know that they have contributed something to promote the happiness and well being of their fellow men. For the latter, who are mostly single men, who, if they have not children now to educate, yet may have, we have too exalted an opinion of their philanthropy and patriotism, to think for a moment, they will consider it a hardship.

The system is objected to by some on account of the size of the districts. When the scattered condition of our

population is taken into consideration, this objection ought not to apply with much force. * * But some are heard to make a general sweeping objection to the system by saying it won't do, it is all fancy, a mere air castle.

* * * * *

Nothing to keep
North Carolina
from having
schools.

Now permit us to ask what is there in the moral and physical condition of North Carolinians, possessing a literary fund nearly equal in amount to that of any State in the Union, to prevent her from carrying Common Schools into successful operation. Nothing, we are constrained to answer but the want of energy, perseverance and a just appreciation of the value of learning. * * *

B. L. BEALL.

C. BRUMMELL.

—*Raleigh Register*, July 13, 1839.

Morehead's toast
on the farmer's
boys.

DISCUSSION ON SCHOOLS AT GREENSBORO. At the Public Dinner at Greensboro, in this State, on the 4th July, the President, John M. Morehead, Esq. being called upon for a toast, arose and said that the toast which he was about to give had been suggested to him by the fifth regular toast, which was "Common Schools." He said we were all aware, that by a late law of our State, Common Schools might be established in every neighborhood, whereby education would be brought within the reach of every farmer's boy as well as to the rich; and thus the youth of our State would be put much more upon an equality. It was an old saying and a true one, that "there is no royal road to learning"; that each one's advancement and success must depend upon his own exertions to cultivate the talents with which Providence had blessed him; and it was a great blessing to any community that the means of that cultivation should be brought within the reach of every child in the State. He said observation founded upon experience, had established the fact, that, as a general rule, vigorous intellects were most usually associated with vigorous con-

stitutions; that the hardy and healthful pursuits of the farmer's boy were well adapted to render both his body and mind powerful and vigorous; and if the means of cultivating the latter were afforded him, we might often expect to find him occupying the highest walks of science and literature, discharging the duties of a citizen with honor to himself and usefulness to his country. Who, exclaimed Mr. Morehead, enthusiastically, do we find filling the legislative halls of our country? They are the Farmer's Boys. Who occupy the judicial benches with so much honor to themselves and usefulness to the country, meting out equal justice to all men? They are the Farmer's Boys. Who fill the high and responsible offices of our different governments, and discharge their duties faithfully? They are Farmer's Boys. Who, exclaimed Mr. M. turning to Mr. Gorrell, is the Orator of the Day, whose cheering eloquence and burning sentiments have thrilled our bosoms with patriotic feeling and swelled them with the enthusiastic love of liberty? He, too, is our Farmer's Boy. Then gentlemen, said he, permit me to give you—

The Farmer's Boys of North Carolina—

But give them light, and they will be found equal to every station.

—*Raleigh Register, July 20, 1839.*

OBJECTIONS TO SCHOOL LAW BY RUSTICUS. Does the School bill passed by the last Legislature carry upon its face demonstration of its practicability? To my mind there are no less than four fatal objections. 1st, inadequacy of the Teacher's salary. 2d, shortness of the School term. 3d, the Districts are too large. 4th, want of Teachers. After the people at their own expense, shall have built a school house large enough for fifty scholars. and raised by means of taxes twenty dollars, the State will add forty more. Sixty dollars then is the salary of the Teacher. Is it enough? No, it will scarcely pay the

School law impracticable; objections.

Salary of teacher too small; term too short.

board of a Teacher. But say the friends of the present plan it will pay a Teacher three months. So it may, but will it not be very difficult to procure a Teacher for that length of time? All men of steady occupation, Farmers, Merchants, and Mechanics, know their interest too well to be induced for the sum of sixty dollars to neglect their business for three months. But for argument's sake let us admit that a Teacher could be employed. Would such a school answer the wants of the people? Would the people be satisfied to send their children to school only three months in the year and permit them to spend in idleness the remaining nine? Do they act thus now? No, for every man knows that his children would forget in the nine months vacation, the greater part they had learned in the three months session. Having disposed of the two first objections, we will take up the third, viz: that districts of six miles square are too large. This is shown by calculation. Those living in the corners will be more than four miles distant from the centre, and those living on the sides three. But the last and most fatal objection, is the impossibility to obtain a sufficient number of teachers. There are 48,000 square miles in North Carolina, which, divided into districts of six miles square, will make 1333 $\frac{1}{3}$ districts. We must have then 1333 Teachers. As we have not this number among us, the question is, where shall we obtain them? Not from the North, for we might obtain men who have too great a sympathy for our blacks, and would make it as much their duty to instruct them as they did our children. Not from Europe, for we shall obtain men, whose manners, habits and mode of thinking are purely monarchical, and who are in no wise fitted to rear up the sons of liberty. Since we have not a sufficient number of Teachers and it is not wise to obtain them from the North or Europe, the only places where they can be obtained, is it not manifest that the present School plan is impracticable? Will then the people of North Carolina adopt the system? Will they suffer themselves to be

Three months' school will not supply wants of people.

Districts too large

Enough teachers impossible to secure.

Teachers from the North might be too fond of the blacks.

taxed, incur the expense of building school houses and raise within themselves sanguine hopes and high expectations, that they may have the glorious delight of seeing their money misspent, their hopes blasted—and expectations disappointed? Surely not.—Let the people reject the present plan and tell their Representatives to propose one that is practicable. Let them first establish a School to *educate Teachers*, and when we shall have a sufficient number of them, we can, with some less probability of failure, adopt the plan now proposed.

Reject present plan; first establish school to train teachers.

—*Rusticus, in Raleigh Register of August 3, 1839.*

POLITICS AND THE SCHOOL LAW IN WAKE. The Act of Assembly which provides for submitting the question to the people in each county, at the ensuing Election, whether they are willing to be taxed to the amount of \$20 for each School District, is, we are sorry to learn, vehemently opposed by certain prominent Administration men, simply because it was the work of a Whig Legislature. It was made no party question in the Legislature, for it is a fact no less remarkable than honorable, that so unanimously was the House in favor of the bill that it passed without calling for the *Ayes* and *Noes*; and in the Senate out of 50 votes, there were only three dissentients. We are glad to see by the subjoined toast, drank on the recent anniversary of American Independence in Orange County, that so decided a friend of the Administration as Gen. Trolinger is using his influence in favor of the law:

By Gen. Trolinger—Education—May North Carolina continue her efforts to adopt Common Schools, until all her sons and daughters have the advantages of Education.

—*Raleigh Register, Aug. 3, 1839.*

It is also, a source of gratification to us, that the School

Bill received so heavy a majority in this County. The prominent leaders of the Van Buren party were very active in electioneering against it, particularly the members from the County in our last Legislature, with the exception of Major Rand, who, we are pleased to state, exerted his influence in its favor.

—*Raleigh Register, Aug. 17, 1839.*

THE VOTE ON THE SCHOOL LAW.—Edgecombe, 165 for, 1075 against; Pitt, 597 for, 370 against; Beaufort, 1042 for, 50 against; Wayne, 352 for, 374 against; Franklin, 683 for, 60 against.

—*From Raleigh Register, Aug. 10, 1839.*

Vote on School Law: Wake, 848 for, 656 against; Craven, 854 for, 129 against; Orange 1357 for, 455 against; Davidson, 452 for, 991 against; Chatham, 877 for, 402 against; Randolph, 847 for, 515 against; Halifax, 699 for, 102 against; Warren, 250 for, 290 against; Lenoir, 285 for, 188 against; Guilford, 1550 for, 422 against; Rockingham 927 for, 211 against; Pasquotank, 762 for, 2 against; Richmond, 558 for, 73 against; Robeson, 107 majority for schools; New Hanover, 469 for, 39 against; Onslow, 341 for, 92 against.

—*Raleigh Register, Aug. 17, 1839.*

Vote on School law: Mecklenburg, 950 for, 578 against; Cabarrus, 603 for, 370 against; Rutherford, 799 for, 650 against; Lincoln, no school; Duplin, 371 for, 141 against; Brunswick, 135 for, 20 against; Bladen, 200 for, 40 against; Columbus, no school; Wilkes, 851 for, 352 against; Davie, 364 for, 73 against; Buncombe, for

schools; Haywood, for schools; Henderson, for schools; Macon, for schools; Cherokee, for schools; Yancey, no school; Northampton, 551 for, 171 against; Cumberland, 881 for, 246 against.

—*From Raleigh Register, Aug. 24, 1839.*

WELL DONE CHATHAM.—The promptness and zeal with ^{Chatham acts first.} which this County has adopted the measures necessary to carry the system of Common Schools into operation deserves all praise, and is worthy the imitation of every County in the State. The bill received the popular sanction on Thursday, the 8th inst., and on Tuesday, the 13th, the County Court, (a majority of the Magistrates being present) appointed the Superintendants, and passed an order to pay the surveyor, who will be indispensable in districting the County. Most of the individuals, appointed as Superintendents, were previously consulted, and consented to act. We hope this statement will exert a beneficial influence, in stimulating other counties, where the bill has been accepted, to immediate action.

—*Raleigh Register, Aug. 17, 1839.*

A correspondent informs us that the vote in this County, ^{Vote of Davie on schools.} on the School question, was 364 in favor and 73 against it—making a majority of 291 votes.

—*Raleigh Register, Sept. 14, 1839.*

In addition to the returns heretofore published, we learn ^{Vote on schools in other counties.} that the School Law has been ratified by large majorities in Buncombe, Haywood, Henderson, Macon and Cherokee, and that it has been rejected in Yancey County.

—*Raleigh Register, Sept. 21, 1839.*

Vote in North-
ampton.

The vote in this County on the School Act was as follows: School 551—No School, 170.

—*Raleigh Register*, Sept. 28, 1839.

Vote in Cumber-
land.

The School Act has been sustained in Cumberland County by a majority of 635. The vote stood—for School 881, no School 246.

—*Raleigh Register*, Oct. 5, 1839.

15. MEMBERS OF LEGISLATURE BY COUNTIES.

Counties.	House.	Senate.
Anson-----	George Dunlap. Patrick H. Winston.	Absalom Myers.
Ashe-----	James M. Nye.	Edmund Jones.
Beaufort-----	W. A. Blount. John McWilliams.	J. O'K. Williams.
Bertie-----	Lewis Bond. James R. Rayner.	William W. Cherry.
Bladen-----	George T. Barksdale.	Robert Melvin.
Brunswick-----	Frederick J. Hill.	Robert Melvin.
Buncombe-----	M. Patton. Phillip Brittain.	Hodge Rabun.
Burke-----	Edward Erwin. Wm. M. Carson. Elisha P. Miller.	Thomas Baker.
Cabarrus-----	Daniel Boger.	Christopher Melchor.
Camden-----	John S. Burgess.	Caleb Etheridge.
Carteret-----	E. S. Bell.	Enoch Foy.
Caswell-----	L. A. Gwynn. Levi Walker.	James Kerr.
Chatham-----	John S. Guthrie. Isaac Clegg. M. Q. Waddell.	William Albright.
Chowan-----	Robert T. Paine.	Rufus R. Speed.
Columbus-----	Augustus Smith.	Robert Melvin.
Craven-----	Samuel Hyman. W. B. Wadsworth.	Samuel S. Biddle.
Cumberland-----	Stephen Hollingsworth. David Reid, Jr.	Arch. McDiarmid.
Currituck-----	Alfred Perkins.	Caleb Etheridge.
Davidson-----	Burgess S. Beall. Charles Brummell.	William R. Holt.
Duplin-----	James H. Jarman. Hampton Sullivan.	J. K. Hill.

MEMBERS OF LEGISLATURE—Continued.

Counties.	House.	Senate.
Edgecombe -----	Robert Bryan. William S. Barker.	Louis D. Wilson.
Franklin -----	Thomas Howerton. William P. Williams.	John D. Hawkins.
Gates -----	Whitmel Stallings.	Rufus R. Speed.
Granville -----	R. B. Gilliam. H. L. Robards. Elijah Hester.	John C. Taylor.
Greene -----	James Williams.	James Harper.
Guilford -----	J. H. Lindsay. William Doak. David Thomas.	James T. Morehead.
Halifax -----	Spier Whitaker. W. W. Daniel. - M. A. Wilcox.	Andrew Joyner, Speaker.
Haywood -----	Joseph Keener.	Hodge Rabun.
Hertford -----	Kenneth Rayner.	Thomas B. Sharp.
Hyde -----	Tilman Farrow.	J. O'K. Williams.
Iredell -----	J. P. Caldwell. John A. Young. John H. McLaughlin.	George F. Davidson.
Johnston -----	John F. Ellington. James Tomlinson.	Josiah Houlder.
Jones -----	William Huggins.	Enoch Foy.
Lenoir -----	Windal Davis.	James Harper.
Lincoln -----	M. Hoke. John Killian. O. W. Holland. Wm. W. Monday.	Michael Reinhardt.
Macon -----	Jacob Siler.	Hodge Rabun.
Martin -----	Raleigh Roebuck.	Jesse Cooper.
Mecklenburg ----	Green W. Caldwell. Jas. T. J. Orr. Caleb Erwin.	Stephen Fox.
Montgomery ----	William Harris. Thomas Pemberton.	John H. Montgomery.

MEMBERS OF LEGISLATURE—Continued.

Counties.	House.	Senate.
Moore-----	J. A. D. McNeill. * David McNeill.	John H. Montgomery.
Nash-----	Ford Taylor.	Samuel L. Arrington.
New Hanover----	James T. Miller. Evan Larkin.	Charles Henry.
Northampton ---	Junius Amis. H. Faison.	William Moody.
Onslow-----	John B. Pollock.	Joshua Foy.
Orange-----	B. Trollinger. J. Stockard. H. Sims. W. A. Graham, Speaker	Joseph Allison.
Pasquotank ----	A. G. Proctor.	W. B. Shepard.
Perquimans ----	Thomas Wilson.	W. B. Shepard.
Person-----	Robert Jones. Moses Chambers.	J. W. Williams.
Pitt-----	John L. Foreman. John C. Gorham.	Alfred Moye.
Randolph-----	Zebedee Rush. Wm. B. Lane.	Jonathan Redding.
Richmond-----	Duncan McLaurin. George Thomas.	Alfred Dockery.
Robeson-----	Oliver K. Tuton. James Blount.	Alfred Dockery.
Rockingham ---	Richard P. Caldwell. Blake W. Braswell.	David S. Reid.
Rowan-----	W. D. Crawford. H. C. Jones. J. A. Clement.	Samuel Ribelin.
Rutherford ----	W. J. T. Miller. W. E. Mills. J. H. Bedford.	Joseph McD. Carson.
Sampson-----	Timothy Underwood. Dickson Sloan.	Thomas Bunting.

* Resigned November 23, 1833

MEMBERS OF LEGISLATURE—Continued.

Counties.	House.	Senate.
Stokes -----	C. H. Matthews. J. M. Covington. James Stafford.	Matthew R. Moore.
Surry -----	R. C. Puryear. Nathaniel Boyden. Micajah Oglesby.	Meshack Franklin.
Tyrrell -----	Charles McCleese.	H. G. Spruill.
Wake -----	N. G. Rand. D. B. Massey. J. M. Mangum.	Samuel Whitaker.
Warren -----	William Eaton, Jr. Samuel A. Williams.	Weldon N. Edwards.
Washington ----	David H. Guyther.	H. G. Spruill.
Wayne -----	C. H. Brogden. Elias Barnes.	John Exum.
Wilkes -----	Eli Petty. W. W. Peden.	Edmund Jones.
Yancey -----	Tilman Blalock.	Thomas Baker.

16. LITERARY BOARD 1827-1839.

I. January 16, 1827 to November 1827:

Governor, H. G. Burton; Chief Justice, John Louis Taylor; Speaker Senate, Bartlett Yancey; Speaker House, John Stanly and James Iredell*; Treasurer, John Haywood.

II. Nov. 1827 to Nov. 1828:

Governor, James Iredell; Chief Justice, John Louis Taylor; Speaker Senate, Bartlett Yancey; Speaker House, Thomas Settle; Treasurer, John Haywood†.

III. Nov. 1828 to Nov. 1829:

Governor, John Owen; Chief Justice, John L. Taylor; Speaker Senate, Jesse Speight; Speaker House, Thomas Settle; Treasurer, Wm. Robards.

IV. Nov. 1829 to Nov. 1830:

Governor, John Owen; Chief Justice, Leonard Henderson; Speaker Senate, Bedford Brown‡ and David F. Caldwell; Speaker House, William J. Alexander; Treasurer, William Robards.

V. Nov. 1830 to Nov. 1831:

Governor, Montfort Stokes; Chief Justice, Leonard Henderson; Speaker Senate, David F. Caldwell; Speaker House, Charles Fisher; Treasurer, William S. Mhoon.

VI. Nov. 1831 to Nov. 1832:

Governor, Montfort Stokes; Chief Justice, Leonard Henderson; Speaker Senate, David F. Caldwell; Speaker House, Charles Fisher; Treasurer, William S. Mhoon.

VII. Nov. 1832 to Nov. 1833:

Governor, David L. Swain; Chief Justice, Leonard Henderson; Speaker Senate, Wm. D. Mosely; Speaker House, Louis D. Henry; Treasurer, William S. Mhoon.

* Elected Governor in 1827. † Died November 20, 1828.

‡ Elected to U. S. Senate before the close of Legislature in 1829.

VIII. Nov. 1833 to Nov. 1834:

Governor, David L. Swain; Chief Justice, Thomas Ruffin; Speaker Senate, William D. Mosely; Speaker House, William J. Alexander; Treasurer, William S. Mhoon.

IX. Nov. 1834 to Nov. 1835:

Governor, David L. Swain; Chief Justice, Thomas Ruffin; Speaker Senate, Wm. D. Mosely; Speaker House, William J. Alexander; Treasurer, Samuel F. Patterson.

X. Nov. 1835 to Nov. 1836:

Governor, Richard Dobbs Spaight; Chief Justice, Thomas Ruffin; Speaker Senate, William D. Mosely; Speaker House, Wm. H. Haywood; Treasurer, Samuel F. Patterson.

XI. Nov. 1836 to Feb. 16, 1837:

Governor, Edward B. Dudley; Chief Justice, Thomas Ruffin; Speaker Senate, Hugh Waddell; Speaker House, Wm. H. Haywood; Treasurer, Daniel W. Courts.

FIRST LITERARY BOARD APPOINTED BY THE GOVERNOR. Executive Council.—* * * Gov. Dudley nominated, as Commissioners of the Literary Fund, Ebenezer Pettigrew,* of Tyrrell, David W. Stone and Charles Manly, of Raleigh. * * The appointments were confirmed by the Council, without a dissenting voice.

—*Meeting held Thursday, February 16, 1837, and reported in Raleigh Register, Feb. 21, 1837.*

* Wm. A. Blount, of Beaufort, succeeded Mr. Pettigrew, May 30, 1837. This was the Literary Board that made the report on Common Schools to the Legislature of 1838-39.

17. PROCEEDINGS OF LITERARY BOARD 1838 AND 1839.

EXECUTIVE OFFICE,
RALEIGH, January 29, 1838.

The Board of the Literary Fund met agreeably to a call Loans considered.
of the President—present His Exely Edwd. B. Dudley
Pres. ex officio, Chas. Manly & D. W. Stone Esquires.

The Board examined the notes offered for renewal &
laid them over for further deliberation.

There being no further business the Board adjourned to
meet again tomorrow evening 4 o'clock.

CHRISTOPHER C. BATTLE, Secretary.

EXECUTIVE OFFICE,
RALEIGH, Jany 30th 1838.

Agreeably to adjournment the Board met, His Excy. E. Loans considered.
B. Dudley Pres. ex officio, Chas. Manly & D. W. Stone
Esquires.

A proposition from the Messrs. Winstons to borrow
\$25,000 was rejected for the want of money. Notes were
examined and laid over to the Next meeting. The Board
then adjourned till 4 o'clock tomorrow P. M.

CHRISTOPHER C. BATTLE, Secty.

EXECUTIVE OFFICE,
RALEIGH, Jany. 31st, 1838.

The Board met pursuant to adjournment present His Loans renewed.
Excy. E. B. Dudley, Prest. ex officio, Chas. Manly & D. W.
Stone Esquires.

The following Notes were renewed No. 1, 2, 3, 4, 5, 6
7, 9, 10, 11, 12, 13, 14, 17, 18, 19, 20, 23, 27, 28, 29, 30,
31, 32, 24, 36, 38, 41, 43, 45, 46, 47, 48, after which the
Board adjourned to meet tomorrow at 4 oclock P. M.

CHRISTOPHER C. BATTLE, Secretary.

EXECUTIVE OFFICE,
RALEIGH, February 1st, 1838.

The Board met according to adjournment Present His Excy. Edwd. B. Dudley, Prest. ex officio, Chas. Manly & D. W. Stone Squires.

No business.

There being no new Notes offered for renewal, the Board adjourned to meet again on tomorrow evening at 4 o'clock.

CHRISTOPHER C. BATTLE, Secretary.

EXECUTIVE OFFICE,
RALEIGH, Feby. 2nd 1838.

The Board met according to adjournment present His Excy. Edward B. Dudley Prest. ex officio, Chas. Manly & D. W. Stone Esquires.

Loans renewed.

Notes No. 35 & 37 were renewed. There being no further business the Board adjourned to meet again tomorrow evening 4 oclock.

CHRISTOPHER C. BATTLE, Secretary.

EXECUTIVE OFFICE,
RALEIGH, February 3d, 1838.

The Board of the Literary Fund met agreeably to adjournment present His Exy. Edwd B. Dudley, Pres. ex officio Chas. Manly & D. W. Stone Esquires. There being no notes offered for renewal in the proper form the Board adjourned till Monday evening the 5th inst 4 oclock.

No business.

C. C. BATTLE, Secretary.

EXECUTIVE OFFICE,
RALEIGH, Feby 5th 1838

The Board met pursuant to adjournment, present His Excy Edward B. Dudley Pres. ex officio Chas. Manly & D. W. Stone.

No more loans at present.

There were several propositions to borrow money, but the Board concluded they had better keep what they are collecting now to meet expenses on Swamp Lands & so they were rejected.

C. C. BATTLE, Secretary.

EXECUTIVE OFFICE,
RALEIGH, February 6th 1838

The Board met pursuant to adjournment prest. His ^{No business} Excy. Edward B. Dudley, Pres. ex officio, Chas. Manly & D. W. Stone Esquires.

There were no notes offered for renewal & there being no further business before the Board it adjourned to meet tomorrow evening at 4 o'clock.

C. C. BATTLE, Secretary.

EXECUTIVE OFFICE,
RALEIGH, Feby. 7th 1838

The Board met pursuant to adjournment prest. His ^{Bank stock pay-} Excy. Edward B. Dudley, Pres. ex officio Chas. Manly & D. W. Stone Esquires.

The Board directed the Secretary to procure a check on the Treasurer to pay the fourth instalment due on Subscription for 207 shares of stock in Bank of Cape Fear, in amount \$4140 & transmit the same immediately. There being no further business the Board adjourned till tomorrow evening 4 oclock.

CHRISTOPHER C. BATTLE, Secty.

EXECUTIVE DEPARTMENT,
RALEIGH Feby 8th 1838

DEAR SIR: I hand you enclosed the Treasurers check for \$4140 to pay the fourth instalment on the subscription of the Board of the Literary Fund to your new stock for which please send me a receipt.

I am very respectfully

You Obt. servt.

EDWARD B. DUDLEY.

J. Hill Esqr

Cashier of Bank Cape Fear
Wilmington.

(See Warrant Book Warrant No. 151 C. C. BATTLE, Secty.)

EXECUTIVE OFFICE,
RALEIGH Feby 8th 1838

The Board met agreeable to adjournment prest. His Excy Edward B. Dudley, Prest. ex officio Chas. Manly & D. W. Stone Esquires.

No business.

There being no notes for renewal and no other business before the Board it adjourned to meet tomorrow 4 oclock.

CHRISTOPHER C. BATTLE, Secretary.

EXECUTIVE OFFICE,
RALEIGH Feby 9th 1838.

Loans considered.

The Board met agreeable to adjournment prest. His Excy Edward B Dudley Pres. ex officio, D. W. Stone & Chas. Manly Esquires.

The Board examined the several notes which were ordered to be rectified by the Board & approved the same. There being no other business the Board adjourned.

CHRISTOPHER C. BATTLE, Secretary.

EXECUTIVE DEPARTMENT,
RALEIGH Feby 19th 1838

Money sent Mr. Shaw.

SIR: I have had the pleasure of rec'ving your favor of the 1st inst. Since the receipt of which we have had no meeting of the Board to whom to submit your papers and acts in consequence of Mr. Stones spraining his ancle, & confinement to his home. In the meantime however I risk nothing in saying that all will meet their approbation. I hand you enclosed a check for \$500 to meet your want and estimate.

Messrs. Carter & Murray are waiting to commence their journey & consequently I must take another occasion to write to you more fully.

Yours most respectfully

EDWARD B. DUDLEY.

C. B. Shaw, Esqr.

Civil Engineer

Washington, No. Ca.

TREASURY DEPARTMENT NO. CA.

March 6th 1838.

\$5597.50. Received of C. C. Battle Secretary to the Literary Board Five Thousand and Five Hundred & ninety Seven 50-100 Dollars of which Three Thousand Three Hundred & eighty Six is principal & Two thousand Two hundred & eleven 50.100 is Interest of money loaned by said Board. For which I have given two receipts of the same tenor and date. D. W. Courts, Pub. Treas. Receipt for money.

The foregoing are the words of the Pub. Treasurer's receipt which I have on file with the papers of the Board of the Literary Fund of No. Ca.

CHRISTOPHER C. BATTLE, Sect'y

\$3386 —principal
2211.50

\$5597.50

EXECUTIVE OFFICE,

RALEIGH Mar 6th 1838

Board met—

Present, Gov. Dudley

Chas. Manly Esqr

D. W. Stone Esqs. The President laid before the Board a detailed Report from Mr. C. B. Shaw, C. Engineer, embracing sundry subjects for the consideration of the Board—which was ordered to be entered on the mins. Shaw's report considered.

Board adjourned.

P. H. BUSBEE,

Sec. Pro. Tem.

EXECUTIVE DEPARTMENT,

RALEIGH Mar 7th 1838

Board met according to adjournment and present, as on the Sixth. The Board continued the examination and discussion of the Engineer's Report. Shaw's report.

Board adjourned.

P. H. BUSBEE,

Sec. pro tem.

EXECUTIVE OFFICE,

RALEIGH No. CAR. March 8, 1838

Shaw's report ; Secretary pro tem.

Board met according to adjournment—present as yesterday—On motion P. H. Busbee was unanimously appointed Secretary pro tempore to this Board, and ordered that his compensation commence on the sixth inst.

The Board continued the discussion and consideration of the Engineers Report and passed upon the renewal of sundry notes, and adjourned.

P. H. BUSBEE, Sec. pro tem.

Here follows a copy of

The Report of Mr. Shaw C. Engr. as submitted to the Board.

To the President and Directors of the Board of Literature of North Ca.

GENTLEMEN:—A period has arrived in the operations preparatory to the drainage of the Swamp lands which makes it necessary to submit a memom. of the Surveys and examinations and to suggest for your consideration the plans and estimates which have been deduced from them.

Instruments bought.

On the reception of your instructions to that effect, such instruments were purchased as were necessary for the commencement of the work, and as soon thereafter as practicable, a corps of assistants procured for the surveys.

Hyde county archives show State's title to 56,000 acres of land.

Pending the organization of Field parties, examination was made in the county archives at Hyde C. H. for evidence of title on the part of the State to retroceded lands. The only deed of that description was one from Sheriff James Watson to His Excellency Gov. Williams, for a large tract of 56,000 Acres lying in the rear of front patents on the East Side of Pungo River, forming a part of a large tract of 200,000 acres granted to Jno. Hall in 1792, known as the Hall patent and subsequently the property of Jno. G. Blount, decd. to whose heirs and Messrs. Smallwood & Powell the remainder of it now belongs.

A connected chain of title exists in the Hyde Co. records

from the State through Jno. Hall J. G. Blount and Edward Harris to William Orr, for whose taxes the aforesaid tract of 56,000 acres was sold and duly conveyed to the Governor for the benefit of the State, on the 1st Sept. 1801; and the same is now on record in the office of the Secretary of State. Among the deeds transmitted to me by the Board from Raleigh are also sundry reconveyances of large tracts in Tyrrell Co; one in particular, for 40,000 acres on the west Side of Aligator River and east Side of Aligator Lake, and a second for 22,000 acres of revested land lying near Pungo Lake—known as Jones and Davis Patent. This latter tract lies north of the 56,000 Acre tract in Hyde. There is also good reason to believe that 40,000 acres of land, never granted to any individual or Company, will upon examination be found South of Aligator Lake, joining in part the North boundary of the Hall patent.

Tyrrell lands

It thus appears that no less than 158,000 acres of land belonging to the State lies contiguous to and are more or less injured by, the redundant waters of Pungo and Aligator Lakes. The drainage of these lakes, or a reduction of their waters appeared therefore to be an important preliminary to any attempt to reclaiming the State Lands and examinations for that purpose became necessary.

Damage by Pungo.

The special appropriation by the Legislature of 8,000 dollars to the purpose of draining Lake Mattamuskeet had been expended just previous to my arrival in that district in the enlarging of a canal before existing from Lake Landing to Ysocking Creek. The canal had already been opened and the water of the lake was slowly subsiding but an extensive shoal at the head of the Canal, upon which the depth of water did not exceed one foot, made it evident that below that depth the canal could have no effect, except by its extension through the Shoal to the deep water of the lake. The undoubted property of the Lake flats, when reclaimed, the probability of their reimbursing any expense incurred in their improvement and the certainty that the

Draining Mattamuskeet

Ysocking Canal not effect that purpose occasioned the institution of surveys to determine how it could be accomplished.

These examinations were the first undertaken and in obedience to your subsequent instructions, were made with much care. Among several modes which suggested themselves for drawing off the lake waters, was that by a canal from the North Side to a remarkable bend of the Aligator River, where an enlargement and an increased depth of the stream would permit the reception of the diluvial matter deposited by the Canal without interruption, at least for many years, of its discharge and without impediment to the navigation of the River. A small canal constructed at private expense extended nearly the whole distance and afforded great facilities in the execution of a survey which otherwise must have progressed very slowly, from the necessity of penetrating an all-pervasive and very dense underwood of gall-berry, fetter bushes and brambles mixed occasionally with reeds. This route is known as "Spencer's Ditch." A Second line which solicited examination and presented similar exemption from the difficulties which usually attend Swamp surveys, was that of Blount's Ditch, extending also from the north margin of the Lake to Aligator River and distant from Spencer's Ditch about 3 miles at both ends.

The line of Ysocking Canal was also surveyed and levelled and soundings taken of its depth with the purpose of affording to the Commissioners, should they require it, the information necessary for the completion of that work.

A random survey was also made from a deep part of Lake Matamuskeet opposite James McLowd's house, to East Bluff Bay and triangles were thrown across East and West Bluff Bars whereby the direction and length of Canals between them and the lake might be determined with all sufficient exactness; avoiding thus the difficulties of penetrating the dismal which would have rendered it impossible to complete the survey before the reopening of

Spring and might postpone the work, should it be found expedient to undertake it, to the next year.

Surveys and levels were subsequently taken between Pungo River and Pungo Lake and a line of exploration run into the State tract of 56,000 acres to ascertain its character and capability of being drained and the proper plans for that purpose. The results of which will be enumerated in another place.

Before describing in their proper order the details of these several operations, a few remarks will be offered explanatory of the position of these lakes and their effect upon the immense waters which surround them. They invariably occupy the highest ground their sites having, in all probability, once been firm ground and their basins excavated by the action of fire, successive growth of Aquatic and other plants, have by degrees still further elevated their margins and made them the receptacles of pluvial waters from the adjoining swamps in rainy seasons. To these Swamps in the dry weather which may succeed, their waters are returned, the loose spongy character and great capacity for moisture of a purely vegetable soil, attracting the Lake waters to a distance that would be incredible to those unacquainted with such localities. Free evaporation from the general surface of the vast solitudes is almost impossible from their umbrageous character, it is probably not more than half that which occurs in cultivated districts. The excess moisture must consequently be taken up to supply vegetable growth or escape by slow filtration to the nearest stream whose dull meanderings are at variance with all the purposes of artificial drainage. After long continued rains or under the influence of high winds the lakes overflow and their contents are suddenly poured down upon the already half submerged Swamps; a continuous motion, or press, as it is termed, of the water then takes place in the direction of the greatest declivity until it reaches the vicinity of cultivation, where, the soil being of a less permeable nature, and sometimes more depressed,

Observations on
the lakes.

water accumulates to the depth of several feet notwithstanding the greater facilities there afforded for its evaporation and discharge.

The duration of this evil is increased though its intensity is no doubt abated, by the slow arrival of these redundant waters which, having few vents, in the shape of natural streams are compelled to seek low and soft places where by they may find exit. From these two causes, slow evaporation, and almost imperceptible drainage, result an autumnal and winter climate of uncommon humidity with the concomitants of rheumatism and pleurisy. In summer the conjoint effects of heat and moisture are felt in *malaria* and the attendant diseases. The evident remedy for the evil is the removal entirely or in part of the contents of these great elevated basins by Canals or artificial rivers which shall at the same time receive the surface waters of the country. Their greater inclination resulting from their directness their regular form and the secondary canals (to be constructed as the sale of public lands may progress) will reduce the lands contiguous to a sufficient dryness for all the purposes of Agriculture. The clearing and cultivation of the Lands will remove in part, if not entirely the sources of disease; and their unexampled fertility, when reclaimed will afford ample means of subsistence at home to those who are now compelled to seek it in more remote territories.

I have no purpose to occupy your time with descriptions of the Swamp regions, already well known from the memoir of Judge Murphy and the reports of Messrs. Fulton and Nash; taking for granted that what has been so often described is now well understood. I will proceed at once to a brief detail of the several surveys before alluded to.

Spencer's canal.

Spencer's Canal was constructed for the improvement of private property and commences 1-2 mile from the North Margin of the Lake; its width is 10 feet, its length 5 miles and its depth from 1 1-2 to 2 feet. The survey was made

upon the canal bank; at the point of commencement soundings were extended in a straight line into the lake. Five feet water was found at the distance of 300 yards and that depth is not increased more than one foot at the distance of a mile from the shore. Within a few yards of the lake, the land rises about a foot and a half. An alternation of many gentle ridges and depressions succeeds for nearly 2 1-2 miles—the variation either above or below the lake seldom exceeding a few inches—the greatest depression being 15 inches. The declivity towards Alligator River is afterwards more rapid. The first half mile is chiefly cultivated and if thoroughly reclaimed from water would be unsurpassed in fertility, producing at present with the most careless tillage, in good seasons 8 or 10 barrels of corn to the acre. The two miles next succeeding are heavily timbered, as is generally the unimproved belt of lands around the lake for the same width, the growth being cypress, black and sweet gum and maples, with a most luxuriant undergrowth of vines and flowering shrubs—laurels and bay trees with an undergrowth of gall berry and fetter bushes succeeds, followed by an extensive Savanna overgrown with reeds and fetter bushes and interspersed with dwarf pines. These Savannas are frequently devastated by fire, at other times they afford a valuable range to cattle and droves of hogs. The total fall from the surface water of the lake to the ordinary water of Alligator River is 4.818 feet. The reeds on the margin of the river indicate an occasional rise of two feet above this point, though during the flood of Aug. last the rise was probably 4 feet.

The soil is easy of excavation; but difficulties exist in Blount's Ditch. regard to the removal of the timber and the interruption of water during the process of removing the earth. Upon Blount's Ditch appearances were similar to these already described, the distance from the Lake to the River 3 miles and the fall 4.329 ft. Alligator River was surveyed be-

tween the mouths of these two ditches and found to be extremely crooked and of a very variable depth and width—altogether unsuited to the rapid conveyance of water. Spencer's Canal is the most suitable location on the north side—the river at its termination being 15 feet deep and 60 feet wide—its width augmenting very fast as it descends. The tides, as they are called are mere accumulations of water under the effects of northerly winds: in Calm weather the river has probably very little fall between Spencer's Canal—the termination of which may be considered the level of Albemarle Sound. It will be seen hereafter that Pamlico Sound is about 5 1-2 feet below the Matamuskeet whence the difference of level of the two Sounds is ascertained to be seven tenths of a foot and not 2 feet as heretofore supposed. This result was to have been expected as a fall of two feet from Albemarle to Pamlico Sound would create a constant and unstable current through Croatan Sound, instead whereof it is at all times navigable and its current at times scarcely sensible.

Rosebay canal.

The Rosebay Turnpike Canal was not surveyed. This is at the west end of the Lake—the distance nearly 4 miles and the fall 4.78 to a stake which is about 3 or 4 tenths above the ordinary water of Rosebay Creek, 5.20 may be assumed as the fall the greater part of which occurs in the last mile, for which reason the depth of cut would be greater on the average than on other lines of greater declivity. Between the Lake and Rosebay there has been an extensive Juniper Swamp—indicating a sandy bottom & I have heard that quicksand was encountered in digging the Canal. The Canal is about 20 feet wide and very shallow—its banks having in many places collapsed. The water is very shoal at its head and for a variety of other reasons not necessary to enumerate, I consider this the least eligible of the several proposed locations. Ysocking Canal is that recently constructed for the purpose of draining the Lake. The fund appropriated was evidently insufficient to accomplish a work of that magnitude. A part of it was necessary to purchase the right of way and the

Ysocking canal.

previously existing Smaller Canal. As regards the actual labor performed there I should suppose, from a rough estimate that it would not have been less than 70,000 cube yards of excavation of which the cost was something less than \$5,000. No Complaint can be made on the score of economy, but it is much to be regretted that the appropriation had not been larger, thus affording more latitude to the commissioners in the selection of a suit. new line. It does not become me to anticipate their report, but I believe it is now conceded by them that, with an extensive shoal existing at either end of this Canal and their exhausted means, they cannot accomplish their object. I would recommend the expenditure of about \$2,500 in removing the Mud Shoal, as it is called in Ysocking Creek and extending that Canal to the deep water of the Lake, but consider it too devious even after these improvements and of too irregular an inclination and Section to drain the Lake. At Mr. McLeod's, four miles west of Lake Landing is the boldest part of the lake shore. The depth of 7 feet may be had 200 yards from the margin. At the distance of 7 miles, as ascertained by our survey, there are two bays of Pamlico Sound, one of which, East Bluff Bay was sounded and exhibited a depth of 6.7 & 8 feet. West Bluff Bay is divided from E. B. Bay and is somewhat nearer to McLowd's, but is reported to be Shoal and less secure as a harbour.

The examination which has been made of Matamuskeet have satisfied me that it ought to be drained; and from the information as yet obtained a canal from McLeod's to East Bluff Bay would best attain that end. Previously however to deciding on the location I would recommend an examination of the harbours of West Bluff and Mount Pleasant Bays. The total fall from the lake to Pamlico Sound, as ascertained by the levelling of Ysocking Canal is $5\frac{1}{2}$ ft. to mid tide. This fall in a distance of 7 miles will give an inclination to the bottom of the canal of 78-100 of a foot or decimally expressed 0.000156. A canal 35 feet at bottom and 50 at the water surface with

Draining Matta-
muskeet.

five feet depth would comprise an area of $212\frac{1}{2}$ square feet; the perimeter of the bottom and side would be 53 feet and the division of the former quantity by the latter would give its mean depth, or what Hydraulaustists term the radius of its section. The velocity generated by that inclination and mean depth would be about $2\frac{1}{3}$ feet per second which multiplied into the area $212\frac{1}{2}$ and afterwards divided by 27 to reduce it to cubic yards, gives $17\frac{1}{2}$ as the quantity per second drawn from the Lake. This Canal would pass through the lands of Blount, Bonnell & Smallwood and others, now quite unimproved and its capacity would require increase with a view to pass off the accumulated quantity of water between the Lake and the Bay. A proportion of the expense would have to be defrayed by the owners of the land under the existing law although the land reclaimed by the operation, from the lake would alone authorize it. About one cube yard per second must be the increased capacity of discharge for each additional square mile of improved land; and to provide for improvement on each side of the canal to a distance of 2 miles, that the marginal lands might be drained without diminishing the flow of water from the Lake, the discharge at the mouth of the canal must be $31\frac{1}{4}$ cube yards a second. This would be nearly accomplished by making the canal 60 wide at the bottom and 75 at the water surface at its embouchure. Such dimensions would give a discharge of $29\frac{3}{8}$ cube yards.

An enquiry will now arise whether some economy might not result from making the process of draining the Lake more gradual; thus—giving the canal only such dimensions as will drain off the Swamp waters and preserve the reduced level of the lake after it shall have been obtained. Supposing the lake waters to lowered nearly to the Canal bottom, upon the occurrence of rain, as soon as the Canal was filled there would be a heavy press of water back into the lake which would continue until the canal water subsided below the lake level. The quantity of water so dis-

charged into the lake would but slightly affect the level, and upon the discontinuance of rain, the flow from the lake would recommence. The Lake has been found by my recent survey to contain 86 square miles. One inch depth upon a square mile requires a drain capable of venting one cube yard per second for 24 hours. A canal which would drain $17\frac{1}{4}$ cube yards per second would reduce its waters 1.5 of an inch in 24 hours, and could the same be maintained would discharge 60 inches in 300 days. The time would be nearly doubled however in consequence of the continued reduction of the head unless a more rapid discharge be afforded by an increased width at the lower end of the canal whereby an uninterrupted efflux may be afforded to the lake waters. If we suppose that by the expenditure of a small sum upon the Ysocking Canal it can be made to discharge $\frac{1}{2}$ the quantity of that to East Bluff Bay, their joint effect would accomplish the reduction of the lake $4\frac{1}{2}$ feet in about 300 days, and supposing that a warm summer should evaporate one foot more of the water than fell in the same time upon the lake, its waters might be reduced $4\frac{1}{2}$ feet in 8 months and $3\frac{1}{2}$ feet below their present level in $\frac{2}{3}$ of that time or about 160 days; the precise period would vary according to that of the rapid evaporation and whether it take place at the commencement or latter part of the discharge.

If the dimensions of the canal be restricted to a width of 60 feet a slight diminution of the discharge from the lake would occur during heavy rains, which would however be more than compensated at other times by the increased rapidity which would result from the more ample dimensions below and consequently greater fall from the lake when the lower sections of the Canal were not filled.

If these Canals be executed, they will probably be undertaken by slave owners in the neighborhood; where the yearly value of slave labor varies from 80 to 90 dollars. If clothing and subsistence be rated at 60 dollars per an. and $\frac{1}{5}$ be added for contractor's profit, the daily labour

of a slave will cost one half dollar. From 300 to 600 cube feet per day is the ordinary work of ditchers in this country—according to the character of the ground. Taking the mean of the two, the mere evacuation of each cube yard would be nearly 3 cents. Supposing the two banks to be 20 feet wide at top, with a slope of one and a half to one the mean distance of transportation at the upper end will be about 42 ft. and 51 at the lower ends, averaging 46 ft. in which distance 3 men will easily transport what two can evacuate. The removal of 2 cube yards would thus cost 15 cents or $7\frac{1}{2}$ c. per yard, but 1-4 must be added to this estimate for idle days and loss of time from bad weather whence the price per cube yard becomes $9\frac{1}{2}$ cents.

The area of a section taken midway between the head and mouth of the canal, supposing the average cut to be $5\frac{1}{2}$ ft. would be about 34 yards, which would give, at the cost of one mile at $9\frac{1}{2}$ cents per yard \$5,682.80 and for seven miles the sum of \$39,779.60. The quantity of good land which will be reclaimed from the lake will be 10,000 acres and the value cannot but exceed the expenditures even after deduction of interest upon the capital expended between the Construction of the Canal and the sale of the land.

To ascertain how much good land would be laid dry by the operation of draining down $3\frac{1}{2}$ ft. below the present level, a survey was first made of the Lake margin, after which soundings were taken at the depth of $3\frac{1}{2}$ feet, which were surveyed by triangulation, and the quantity included between the present and lower margin determined by the difference of the two areas. The lake bottom was also bored with a land auger to the depth of several feet at every sounding station. In some instances a few inches of land were found overlying a deep vegetable soil; but in most instances sand was absent. Sand would be more generally found at the surface of the soil, that being more exposed to the attrition of the water. whereby the vege-

table matter would be removed and the sand, from its greater weight, be left behind. The quantity of that matter must rather add to than detract from the value of the soil. Some clay and red ashes are also found at the lake bottom, intermixed with vegetable matter. A general chart is in preparation—exhibiting all the operations of the Season; it will be transmitted by the first opportunity after its completion.

A survey was also made from the head of Alligator River to Alligator or New Lake to ascertain its level and position. This survey pass through the tract of 40,000 acres supposed to be State property.

Survey on Alligator Lake.

The Lake is $4\frac{3}{4}$ miles from Alligator River near the mouth of Blount's Ditch and is elevated above it 8 281-1000 ft. It is consequently 4 ft. above Lake Matamuskeet and nine and a half feet above mid tide of Pamlico Sound. It was surveyed by triangulation and found to contain very nearly 5000 acres but little of which would be reclaimed by a reduction of the lake waters 5 ft. as contemplated. The benefits proposed to be attained from this operation would be general however in regard to the large tracts of public lands on the South the N East and S. West of the lake. A belt of land from 2 to 3 miles in width would also be rendered susceptible of cultivation. But the conclusive argument in favour of this drainage is its being indispensable as regards the valuable tract of 56,000 acres on Pungo River, of which I shall next speak. The dismal between the River and Lake contains some valuable juniper timber and after the reduction of the waters of Alligator and Matamuskeet Lakes, the piny savannas near Alligator River may be cultivated into Rice, there being no doubt that the head of the River must be reduced some four inches below the present level, when the press of water from these two lakes shall have ceased.

The southern boundary of the 56,000 acre tract, as defined in the Shff's deed to Gov. Williams, is a line running No. 30° E. 4 miles to Alligator Lake, which line

commences at a stake which was at the time of the first survey No. 30° E. 1 mile from a certain Gum tree at the head of Putnam's Creek. This gum tree was one of James Wilkin's corners, and easily pointed out by persons in the neighborhood. A random survey from the deep water at the confluence of the creek and Pungo River was made to this tree, whence the required line was run without deviation for $3\frac{1}{4}$ miles but was abandoned in consequence of unfavorable weather and the great difficulty of progress on account of the thickness of the undergrowth, which for the purpose of levelling was necessarily removed to a greater extent than a mere land survey would have required. It was considered doubtful, at the commencement of this survey, whether this line would strike the lake, the general opinion being that it would prove to be too much to the North. It was nevertheless thought expedient to run the line a portion of the way with a view to examine the general character and level of the tract, and afterward by a survey of the road from Putnam's Creek to the head of Matamuskeet lake—connecting thereby with the survey before made to Alligator Lake, to determine what the true direction of the South boundary of the tract should be.

The line was afterwards in that way ascertained to bear No. $37^{\circ} 20'$ E. which is the most northerly line that would at all touch the lake and consequently gives the natural boundary required with the least possible invasion of the Hall tract—East of the supposed line. The State tract was originally sold to William Orr and divided from the Hall Patent in the deeds of conveyance by the afore-said line bearing No. 30° E. to the Alligator Lake. The proprietorship at that time was in Judge Edward Harris and no reasonable doubt can be entertained of the right to draw a line which shall touch the lake. Whether the quantity of land exceeds or falls short of that specified in the deed remains to be ascertained. The original deed to John Hall calls for so many natural boundaries that a correct map cannot be made for it. Some new surveys

must be resorted to. I should not however expect the quantity to vary much from that specified, judging from the appearances, or, the State maps. The north West corner and thence nearly to the center of this tract is flooded by the waters of Pungo Lake. A line of levels was therefore run from Clark's Mill on Pungo River to Pungo Lake, using for great convenience the banks of Clark's lead races, by which his mill is supplied with water from the Swamps in that direction. From the head of the race the levels were continued until they reached the flood waters of Pungo Lake, which at that time covered the country for 2 miles from its margin, being 17 222-1000 ft. above Pungo River, whence there can be but little fall to Pamlico Sound. The southern end of the tract is in part heavily timbered and is elevated in some parts 13 ft. above tide, probably in few places less than 9 or 10 feet. At the greatest elevation, a forest of canes 12 or 15 ft. in height gives the best evidence which could be desired of fertility. The timber is of the description most indicative of fertile soil. The luxuriance of the undergrowth unequalled even in the region of redundant vegetation. The north end of the tract between Pungo Lake and the front patents is one extensive bed of madder reeds and its general elevation is from 12 to 17 ft. above tide. Fire has repeatedly swept off its forests and the lake have subsequently so often and constantly overflowed it that reeds alone have succeeded them. Draining the above is necessary to make the land valuable. The whole of this tract is thought to promise considerable fertility when reclaimed; it possesses a vegetable soil some feet in depth with a clay bottom. In regard to the present condition of this and other Swamp regions, it may be remarked that there is no want of a general declivity to carry off the rain water, but of channels into which it may flow. Artificial rivers must be formed where nature has not provided them. One inch of water falling upon a retentive soil upon one square mile is equal to 85044 cubic yards: a day

Difficulties in the way of draining the swamp lands.

contains 86400 seconds; consequently for the complete discharge of a rain 1 inch deep upon a level the Canals both principal and secondary must have a capacity of discharge equal to 1 cubic yard per second for every square mile which they are intended to drain. For a fall of 2 inches, this capacity must be *doubled*, for three inches tripled &c. This calculation applies to lands under a complete system of drainage where by means of secondary drains and water furrows and the removal of roots, mosses and other obstacles, the water may be discharged just as fast as it may fall. In ordinary rains the velocity with which water is discharged from swampy districts must be many times less than in a country under cultivation, both from the retarding causes above mentioned and the general inequality of the surface—all cavities having of necessity to be filled up to the general level before a discharge of their waters can commence, except by slow filtration through a spongy soil. The retardation of the affluent waters is not so great in heavy, as in moderate rains but is even then very considerable.

An example will afford better idea than a general explanation. In the extraordinary floods of August last preceeded, as may be remembered, by a long drought, the waters of Lake Matamuskeet as was ascertained by careful measurements at the time, rose 7 inches during the rain, the rise was augmented 2 inches by the influx of water from the surrounding Swamps.

The area of the Swamps, circumjacent and tributary to the lake is about one half more than that of the lake itself; whence, were no account to be taken of the quantity absorbed by a dry soil, nor of the evaporation which intervened between the discontinuance of the rain and the period of greatest rise, in the lake, the augmented depth of lake water would then show the quantity which fell upon the level and which would be $\frac{2}{3}$ of the indication.

In consequence, however of the absorbent power of a purely vegetable soil and the dry weather anterior to this

flood, it may be assumed that 1-10 of the period during which rain fell was consumed in filling the soil to saturation, and its concavities to the general level. Allowing that after the rain ceased $\frac{1}{2}$ inch evaporated in 24 hours from the lake surface and $\frac{1}{4}$ inch from the surrounding swamps, a simple calculation will show the quantity of water which flowed into the lake from the swamps to have been 2 33-100 inches in the first 36 hours and the fall upon the lake proper 4 202-1000 inches in the same time. whence it will be seen that the fall of rain upon a level was at the rate of 2 280-1000 inches per day. The fall of rain in 36 hours upon the swamp, estimated in reference to the lake surfaces, which is only $\frac{2}{3}$ that of the surrounding Swamps would always show upon the Lake $\frac{1}{2}$ more than the actual quantity, and adding that which falls upon the lake itself $2\frac{1}{2}$ times the quantity falling on a level. The absorption into the soil in this calculation is taken at 1-10 of what fell on the Land or 1-10 of 3-5 0.06 of the quantity on the level.

Dividing the whole area of swamp into 10 parts, the Swamp will contain 0.6 and the Lake 0.4; and the fall of rain was disposed of in the following manner

	On Swamps
Absorption	0.2521
Ran into Lake 1st day.....	2.0333
do. do 2nd day.....	1.3333
Evaporated	0.5833
Total	4.2020

Disposition of the
rainfall on Matta-
muskeet vicinity.

The evaporation was calculated from Dalton's Experiments on Tensions and Aqueous vapors under various temperatures. The elastic force of vapour under a temperature of 58° being 0.500 inches of mercury—that at 92° is measured 144 inches. These as nearly as can be ascertained are the mean and highest temperatures of this region. The probable mean annual fall of rain is from 48

to 50 inches; the latter equivalent to 1 inches per week. Evaporation always exceeds the fall of rain, but for our purposes may be considered no greater. If the average number of rainy days be taken as 1 in 7, the average fall will be one inch, and subsequent mean evaporation 1-6 of an inch daily. The evaporation being proportioned to the elastic force will follow the result of Dalton's Experiments and the greatest is thus determined to be thrice that of the mean evaporation, or $\frac{1}{2}$ inch per day upon surfaces exposed to the sun. As I have stated it is less, perhaps by $\frac{1}{2}$ in the Swamps, the absorption and retention on the surface was obtained by combined consideration of the slightly uneven surface, and the statement of the Swedish Chemist Berzilius on mould and vegetable earths—translations may be found in Ruffins Essay on Calcareous Manures. Appendix to 2nd Ed.

The quantity thus obtained may be relied upon as very nearly that which fell in Hyde Co. on the occasion of this memorable rain. It may appear small to those who witnessed it by the rise of water in rivers, ravines and other depressions, where accumulations would take place from a very great extent of country adjoining. The quantity which flowed into Lake Mattamuskeet from the swamps would have swelled the water 6 or 7 ft. in a valley of small inclination and $\frac{1}{4}$ mile width, and proportionately more as the width of the valley or stream diminished. The drain into the lake continuing 24 hours after a rain which lasted 36 h. we may assume in case of heavy rains that the period for the discharge of the pluvial waters will be $\frac{2}{3}$ greater than that of their fall for the unimproved Swamp lands, the periods will be equal: and for a district partly cultivated—that for those under cultivation in proportion compounded of the quantities of cultivated and wild Lands.

Other observations
on draining swamp
lands.

The Pungo River tract, in addition to the 56,000 acres will receive the waters of Alligator and Pungo Lakes equal to 8,000 acres: the whole tract to be drained will be

64,000 acres, or 10 miles square—equal in size to the Dist. of Columbia.

The canals now proposed, are to provide for the immediate improvement of $\frac{1}{4}$ of the tract: they may be enlarged and an intermediate one cut wherever that becomes necessary. For this purpose and to vent a fall of one inch per day it will be found that the capacity of the great canals, or axes of drainage as Proney terms them, should be jointly 14-20 cube yards per each square mile or 70 cube yard to the tract.

It must be observed however that from the central position of Lake Matamuskeet the circumstances were more favourable to rapid drainage than they would be when tracts of great breadth were to be drained by a few canals of large dimensions. The influx of the distant waters would be greater and the period of complete discharge more protracted. In planning drains for this tract it has been thought advisable, therefore, to consider the discharge from the Swamps but $\frac{1}{2}$ that from improved lands. One fourth then being improved, the capacity of the large Canals must together be $62\frac{1}{2}$ cube yards per second; of these, two are proposed—one from Alligator Lake to Rutruans Creek near its mouth—and the one from Pungo Lake to Pungo River, near the mouth of Shallop Creek.

The necessary conditions for free and rapid discharges are directness and general inclination of the bottom and that form of section which shall contain a given section with the least perimeter to its beds. The last condition is modified by the angles of slopes at which the banks would probably maintain themselves which has been fixed in accordance with custom at 3 base to 2 altitude. Two reasons forbid the adoption of a greater angle with the horizon. It will soon be seen that these canals must undergo some change of figure from the action of their waters and that the abraded banks must be washed to the mouths of the Canals and will in time form large shoals in Pungo

River. This effect will be postponed to a more distant period by the adoption of more gentle slopes. A permanent and nearly motionless body of water pressing upon the Banks would permit them to be cut more nearly perpendicular, but another limit to their slope exists in what would be suitable under mere atmospheric effects as would be frequently dry or that is, taken in modern construction at 3 base to 2 altitude. The fall from Alligator Lake to Pungo River is at the rate of $1\frac{2}{3}$ ft. per mile; that Pungo Lake to Pungo River between 2 & 3 ft. per mile. The latter fall will be diminished by deep cutting at the upper end—it being contemplated to lay that Lake nearly dry. With the assumed dimensions of the large Canals, a mean velocity at their bottom varying when they are filled, of from $2\frac{1}{4}$ to $3\frac{1}{2}$ ft. and a velocity at their bottom varying from $2\frac{1}{4}$ to 2 3-8 ft. per second. At 2 ft. per second (so say Experimentists) pebbles of an inch in diameter are moved by the current, and angular stones of the size of a hen's egg at 3 ft. Whence it will be easy to infer that these canals could not long preserve their forms were they constantly submitted to the destructive action of such a current. That their figures must change in the course of time is evident; their banks will become more sloping and they will become wider and shallower until nature shall have completed what art has begun.

Supposing the mean evaporation in the swamps to be 1-12 inch per second, the mean quantity passing off by filtration would be the same, which would be sufficient to keep a depth in the canal of 0.63 ft. At this depth the velocity at the bottom would be 1 foot per second, still sufficient to transport the materials of which they are composed, but between this state and that of perfect dryness, which must occur ever season, some deposits must take place. In view of these facts, it may be asked why not adopt such an inclination as would give the canals no more velocity than their bottoms would withstand? The ready reply is that their discharge would be diminished and their

capacity or number increased and that the former will be more economically produced by leaving the waters to themselves to effect their regime. In highly cultivated countries where the value of the land to be reclaimed would better repay the cost of the work, the former method would be preferred. With a view to the enlargement of the canals for the operation of natural causes, it will be proper to remove the excavated earth to a greater distance from the lit of the cut than would be necessary for the mere prevention of slip of earth. Could the result of this action be accurately anticipated, it would be proper to make what is termed a puddle trench in the middle of the outer bank of the canal for the purpose of more effectually excluding the flood waters of the swamps without the tract. But it seems advisable to postpone that part of the construction until these canals, have in a measure regulated their beds, when the banks may be puddled with more prospect of permanency. I forbear introducing any disquisition on general principles of hydraulics in this place. Treadgold's tracts containing translations of the works of Venturi Venturale and Eytelwien, and Strovon on the art of conveying and distributing water are the most familiar English books on the subject: the calculations of this drainage are in accordance with the principles of these authors, there being little discrepancy among them on the subject of *open canals*. Prony's formula for the motion of water in open channels ($ar + br^2 = R I$), Eytelwien's values for co-efficients a & b has been used to compute the velocities and discharges. It has been shown in a former part of this report that after the water of any Lake had been reduced nearly to the bottom of the canal by which it was drained,—should a heavy rain occur, upon the canals filling itself, a heavy press would take place toward the Lake—the waters of which, notwithstanding the accumulation from the adjoining lands, would have no egress in consequence of the greater hydraulic pressure from the canal.

Authorities cited.

Phenomena of
drainage canals.

By means of this retrogressive action of the Canal water, not only is the discharge of the lake waters delayed, but a portion of the canal waters is discharged into the Lake and there retained until the subsidence of those in the canal allow those in the Lake to flow out. The lakes at the heads of all these canals may thus be made to act as reservoirs and equalizers of the discharges by the canals. The point where the retroverted motion of the canal waters will commence, when it is filled, is somewhat nearer the Lake than where a horizontal line drawn from the bottom next the Lake will meet the surface water of the canal. This, in Rudmans Creek Canal would be about $2\frac{1}{2}$ miles from Alligator Lake. The head of the water flowing back into the Lake would be $1\frac{3}{4}$ ft. at first and would diminish slowly with the rise of the lake water, but more rapidly with the subsidence of that in the Canal.

This phenomenon has much influence in determining the proper form to be given to the Canals. For the mere purpose of draining off the rain water from the surface, they should invariably be enlarged in the direction where accumulations will occur, and, were there no lake at their origin, they should be gradually widened toward their mouths. The form would however seem to be the converse of what is proper in the case above supposed where the usual motion is reversed. If, yielding to this suggestion, they were made wide at their origin and regularly contracted as they progressed towards their mouths they would retard the discharge from the lake when that should commence. The discharge, moreover being cumulative, a prismatic form would best suit it. The form is furthermore indicated by the fact that all the water in the upper portion of the Canals—below the horizontal line before spoken of—must, under all circumstances, obey the laws of gravity and flow towards their mouths. The canals must therefore be made of equal section from their origin to a certain determinate point where they must be gradually widened to their mouths. The limits of their sec-

tions will thus be found. From the plan of drainage proposed the rain of one day upon the tract may occupy two days in the discharge; and admitting the proportion of fair to rainy days to be, as elsewhere assumed, six to one, five days will afterwards remain to discharge what may have accumulated upon the Lake, keeping always in mind that the head of water in the lake will be small in consequence of the extent of surface. Each of these lakes upon the reduction of their waters, will attract water from a distance of 2 or 3 miles. The region which Lake Alligator drains may be estimated at from 40 to 50 square miles—its own surface being 7 square miles. The head accumulated on the lake would vary from 7 inches to one foot, whence the requisite capacity of the canal should be the discharge of 2 inches per day for 6 days from 7 square miles or about 14 cube yards per second. The time of discharge would be doubled from the reduction of the head and become 12 days in which time on the average rain would again occur—its head would again increase and this operation would be repeated until it should have attained a head sufficient to force out its water before the next succeeding rain.

A canal 40 ft. wide at bottom, with the usual slope to its banks would discharge 14 cube yards per second under a head of 3 ft., its bottom being inclined $1\frac{2}{3}$ ft. to the mile. In long rainy seasons the water in Alligator Lake would sometimes attain the height above the canal's bottom to which it is therefore supposed to give the aforesaid dimensions and a depth of 5 ft. for $2\frac{1}{2}$ miles; after which it should be gradually enlarged towards its mouth. The bottom width at Pungo River will be 50 ft. & the water surface 65 ft. The Pungo Canal will have more fall and will drain a less extensive area; its bottom width should be 35 ft. at the origin and the water prism of uniform section for 2 miles. At its mouth it should be 40 ft. wide

at bottom and 55 ft. at the water surface. With these dimensions the following would be the cost of construction:

Cost and size of drainage canals.	Estimate		Cube yards	
	Northern Division of Alligator Canal		2½ miles	
	158,400	@ 9½ cts.		\$15,058
	Southern division of do		do 3½ miles	
	214,060	@ 9½ cts.		20,336
	Northern Division of Pungo Canal		2 miles	
	105,600	@ 9½ cts.		10,030
	Southern Division of do		do 4 miles	
	215,080	@ 9½ cts.		20,433
	Puddle Dyke between Alligator & Pungo Lakes			
	24,540	@ 10 cts.		2,460
	Rod Bridges at Rudman's and Shallop Creeks..			1,250

Whole proposed cost of main drainage.. \$69,571

The secondary canals should be treated with reference to the declivity of the general tract crossing it sometimes obliquely the better to receive the discharge from water furrows and hollow drains. The dimensions of secondary canals should be bottom breadth 13½ ft.—slope of banks 3 to 2 and depth such that they may terminate at the bottom of the main canals. Their inclination should not be less, if it can be avoided, than $\frac{3}{4}$ ft. to one mile and their breadth at bottom should diminish 1½ ft. at every mile from the main Canal. They should be one mile distant from each other and their cost will be charged upon the tract where it may be thought expedient to make them of about \$2.00 per acre; the number to be executed immediately after the completion of the main drains will depend upon the quantity of land the Board may determine to throw into market. It will be proper that they should be either actually constructed previously to any sales or located and the property of the State reserved to their sites. The surface water may be discharged into the secondary canal by water furrows or Hollow drains as the proprietors

may choose. Hollow drains are considered among the most valuable methods of modern agriculture for the tillage of such soils as the light alluvia of Hyde Co. and are undoubtedly preferable to the Flemish method of surface drains and intervening high ridges where the soil is not retentive and the water at a sufficient depth below the surface of the land. Several methods of the hollow or secret Drainage are described in Johnson's Account of Ellington's Mode of Draining now in Publication in Farmer's Register.

That which is most applicable to the soil and materials to be found in Hyde County is the following: Ditches are to be dug at suitable intervals to the depth of 3 ft. with a width of 2 ft. at top and $\frac{3}{4}$ ft. at bottom. At distances apart of 6 ft. stakes must be driven into these ditches—obliquely across them in such fashion that a pair of stakes may form a cross—their heads being a foot or more below the surface. These cross billets are intended to support fascines of alder, with which the upper portion of the ditch will be filled while the water is permitted to filter through the soil into the lower part and is thence conveyed, without interruption to the secondary canals. The fascines must be covered with $1\frac{1}{2}$ ft. of earth, they will then sustain the trampling of men and animals and the plough can pass over them without injury or disturbance.

This is a more expensive method than surface draining but will soon remunerate the farmer in the greater economy with which ploughing may be effected—where a furrow may extend, if required a mile: It also prevents the wasting off of the surface soil. It may become necessary as the sales of lands progress to open a third canal on this tract—the possibility of which should be borne in mind in fixing the prices to be demanded for land on it. This third Canal may cost \$30,000: supposing which, the cost per acre for the whole tract would be \$1.90 for main

and \$2.00 for secondary canals—total \$3.90. The value of the lands will average from \$10 to \$20 per acre and at that price favourably circumstanced as they will be for experts they will be the cheapest lands in the United States as they are pronounced by those who have seen both, to be far superior to the boasted bottom lands of Missouri. The cost of clearing, fencing and draining Hyde County Lands has been estimated at \$20 per acre, after which their nominal value is \$40 though it is easy to perceive that land capable of producing from 10 to 15 barrels to the acre must be worth much more. A large proportion of the expense of improving is incurred in the purchase of cypress rails—that wood being the most suitable and becoming every year scarcer. Upon a portion of this tract the timber has been burnt off here and upon the reclaimed flats of Matamuskeet where there will be no timber, boundary ditches may be substituted and hogs restrained from going at large by Legislative Enactment.

Advantages of
plan of drainage—
recapitulation.

I will briefly recapitulate the advantages to be expected from the execution of the improvements recommended, viz—The reduction of the waters of Lake Matamuskeet and the drainage of the Pungo River Tract.

It is well known to the Board that, despite their fertility, many of the Lake farms are completely valueless in consequence of their drowned condition. On the North West Angle of the Lake where there was once a prosperous settlement there is not now a single smoke—yet these fields have yielded 15 Bls. to the acre. The roads in winter are from the same cause, nearly impassable. The healthiness of the country is impaired and the commonwealth tax is constantly diminishing under the influence of emigration to other States. The first effect of the lake drainage may be unfavorable to the summer climate, from the unusual decomposition of vegetable matter, but its ultimate benefit cannot be doubted. The Board will have recovered from the water a valuable tract for which a ready sale will in almost every instance be found among the marginal pro-

prietors; as a mere speculation, I should suppose that the drainage of the Lake would double the capital expended. The Lake will not be drained lower than the level of Alligator River, 4.80 ft. a sufficient depth will still be left for navigation by the large canoes and flats used in the transportation of Corn, &c.

The Canal to the East Bluff Bay will afford a new and more direct as well as cheaper avenue for the exportation of grain and lumber. Good roads will be formed upon the banks of this as well as other proposed canals. New tracts of lands would be cultivated upon the Canal margin, and, encouraged by the State's example the proprietors of all the great unimproved tracts of Swamp lands will form themselves into Drainage Companies, by which method alone can we ever hope to witness the complete reclamation of the dismal of the seaboard. No reasonable doubt can be entertained that the clearing and draining of the lands will produce their usual effects in ameliorating the climate and that the tidal portions of No. Carolina may thus become as salubrious as those of more northerly states. A new seaport will probably be established where there is now but a bleak marsh. A canal of navigation affording a more direct communication than the one existing between the two Sounds is incompatible with the complete drainage of the country. Level reaches would draw the water and overflow the contiguous land; and would moreover soon be filled with diluvion. If such a canal be made it must be an independent project. Still, a navigation of great value to the country may be carried on during a larger portion of the year not only on the Mattamuskeet but the Alligator Canals, their falls not being too great to allow of towing. The Pungo Canal would not be filled except occasionally and the fall would be too great for the profitable use of any but light canoes. The road on its banks will be the best avenues to market.

Preparations are in progress of the resumption of field

duties as soon as instructions to that effect shall be received from your body and the season will admit of the same, when it is prepared to locate the Canals and prepare them for contract. In the meantime I have the honor to be

Gentlemen,

Your very obdt Servt.

CHAS. B. SHAW C. E.

WASHINGTON BEAUFORT Co. N. CA. Feb. 29, 1838.

COPY

RALEIGH 8th Mar. 1838

Shaw's salary.

Cashier of the Washington branch of the Cape Fear Bank pay to C. B. Shaw or order Six hundred & Twenty five Dollars being his quarter salary as Engineer to the Board of the Literary fund.

EDWD B. DUDLEY,

\$625.

Pres. ex officio

EXECUTIVE OFFICE,

Mar. 11th, Raleigh.

Resolution to
print Shaw's
report.

Board met—Present as on the 8th. The Board resumed the consideration and discussion of the Engineer's Report. The following resolution was adopted. That it is expedient and proper that the report of the Engineer be published and extensively circulated, and to that end the Secretary of the Board is directed to inquire of the Editors of two of the city papers at what price they would be willing to insert the Report in their papers and to print also 100 copies in pamphlet form and that information be given to the Board at its next meeting.

Loans refused.

Sundry applications for loans of money were considered and rejected, the Board deeming it advisable to retain the funds on hand to meet disbursements on the Swamp Lands.

Board then adjourned—

P. H. BUSBEE, Sec. p. tem.

EXECUTIVE OFFICE RALEIGH

March 12th 1838

Board met.

Present as on the ninth. The secretary having reported Printing of report.
as required by the resolution of yesterday, the offers of
the several Editors, after some discussion the Board RE-
SOLVED that the Secretary cause to be printed one hun-
dred copies of the Engineer's report at the office of the
Standard and one hundred copies at the office of the Regis-
ter, the Editors of those papers agreeing to give the re-
port one insertion in their respective papers, gratuitously.

The Board then adjourned.

P. H. BUSBEE,
Sec. pro tem.

EXECUTIVE OFFICE

March 17th 1838.

Board met.

Charts and surveys
of lands.

Present His Excellency Gov. DUDLEY,

WILLIAM A. BLOUNT

CHAS. MANLY,

D. W. STONE. Mr. Shaw the

Chief Engineer being present at this meeting at the special
instance and call of the Board and having exhibited a
photographical chart of his surveys of the Swamp Lands
in Hyde and Tyrrell Counties & explained the same to the
satisfaction of the Board, it was *Resolved* that a tract of
land lying on the East of Pungo River, and between Pun-
go Lake and Alligator Lake and known as a tract of
56,250 acres sold for taxes by James Watson Shff of Hyde.
as the property of Wm. Orr, and conveyed to Benjm. Wil-
liams Gov. of the State of N. Carolina, for the use of
the State by and bearing date Sept. 1st 1801 (as by refer-
ence to said deed will more fully appear) is, in the opinion
of the Board the property of the State and is capable of
being reclaimed; and from the facilities which it offers

First land to be
drained.

for draining, demands the first attention of the Board, the same is hereby selected for their first operations.

Dealing with individuals; appointment of commissioners.

Resolved, that the Engineer be directed to make a particular survey of this tract and locate and lay out the route for such Canals as he may deem proper and essential; and whereas it is represented to this Board that sundry individuals own or claim title to, large tracts of land in the vicinity and contiguous to this tract which will be benefitted by the cutting of the contemplated Canals and whereas the routes of some of said Canals may pass over lands not the property of the State, but belonging to said individuals, *Resolved*

That the President of the Board be requested to open a negotiation with said proprietors and propose that a board of commissioners, consisting of three gentlemen of respectability and intelligence be appointed one by the Board, another by the proprietors and the third by the two first herein provided for, who shall decide what quantity of said land or other compensation the said proprietors respectively shall relinquish or pay the State, or to this Board in trust for the State, in consideration of the benefits thus to be conferred or derived from said Canals; and that said Commissioners or a majority of them shall make report of their proceedings and decisions to this Board and the same when ratified in writing by said proprietors and this Board shall be final and conclusive on all concerned.

Resolved: That said commissioners be allowed for their services the sum of \$2 each per day for each day they may be actually engaged in the discharge of the trust hereby committed to them to be paid by this Board.

Resolved. That Samuel Topping be, and is hereby appointed Commissioner on behalf of this Board.

Resolved That the Engineer be authorized at such time as he may deem proper, to call the attention of contractors

to this work by public advertisements and invite proposals.

The Board then adjourned.

P. H. BUSBEE,
Sec. pro tem.

EXECUTIVE OFFICE
RALEIGH Mar. 21 1838

Board met.

Present as on the 17th.

It was *Resolved* That the President of the Board be authorized to conduct the negotiations indicated in the Resolution of the last session through Mr. Shaw the Engineer. It was further ordered that a warrant be drawn for the following sum \$285.50—the expenses and pay of the members of the Board from the 29th Jany to 21st March both days inclusive—Viz—

Genl. W. A. Blount Expenses.....	\$27.50	Expenses of Board paid.
6 days attendance.....	18.00	
		\$45.50
Gov. Dudley Pres. of Board 20 days.....	60.00	
Chas. Manly 20.....	60.00	
D. W. Stone 20.....	60.00	
Secretary to the Board 20.....	60.00	
		\$285.50

The above expenses settled by warrant No. 164.

Board then adjourned. P. H. BUSBEE,
Sec. pro tem.

EXECUTIVE OFFICE
RALEIGH April 3 1838

Board met.

Present Gov. Dudley, Chas. Manly Esq. D. W. Stone Esq. Renewal of notes.

This being the regular period for renewal of notes to

this board, several notes were examined and passed upon: ordered that an instalment of 10% of the principal be required on all debts due this board & that the same together with the Inst. be paid on the next renewal & that no note be renewed except on compliance with this order.

Ordered that public notice be given the debtors, of this requisition. Board then adjourned.

P. H. BUSBEE, Sec. pro tem.

EXECUTIVE OFFICE

April 4th 1838.

Board met.

Present as on yesterday.

Board passed upon the renewal of sundry notes, rejected the firm of Messrs. Turner & Hughes and then adjourned.

P. H. BUSBEE, Sec. pro tem.

EXECUTIVE OFFICE

April 5th 1838

Board met.

Present Governor E. B. DUDLEY

CHAS. MANLY Esq.

DAVID W. STONE Esq. This being the time for renewal of Notes the Board resumed the business of passing upon the notes presented for that purpose and then adjourned.

P. BUSBEE,

Sec. pro tem.

EXECUTIVE OFFICE

April 12 1838.

Expenses of surveying parties.

Board met and this day present His Excellency E. B. Dudley Chas. Manly & David W. Stone Esqrs. when several notes were presented for renewal and read.

A letter was read from Mr. Chas. B. Shaw, the Engineer of the Board desiring to be furnished with 900 dollars to defray the amount expenses of the surveying parties whereupon:

It was Resolved that the President of the Board be desired to remit Mr. Shaw a check for the \$900 as desired in his letter.

There being no further business the Board adjourned subject to the call of the President.

P. BUSBEE,
Sec. pro tem.

EXECUTIVE OFFICE
April 13, 1838

Letter to Shaw
about canal.

Dr. Sir:

Your favour of 9th instant has been duly received and submitted to the Board of the Literary Fund your proceedings approved & the enclosed check for Nine hundred Dollars to meet your expenditures in the survey of the Swamp land ordered to be sent to you.

We hope you will be enabled at some early day to procure the relinquishment of Messrs. Donnell Blount & Smallwood, that your survey be made with the view to a final location of the Canal to Alligator Lake. Mr. Busbee will send you the reports by the first opportunity. The direction you gave him, he says is lost & he is at a loss to whom else to send them.

I am with respect & esteem,

Yr.

E. B. DUDLEY.

RALEIGH April 13, 1838

Cashier of the Washington branch of the Bank of Cape Fear pay to Charles B. Shaw or order Nine hundred Dollars.

E. B. DUDLEY,
Prest. ex officio.

\$900.

EXECUTIVE OFFICE
April 14, 1838.

Bank stock paid
for.

Board met

Present His Excellency E. B. Dudley—Chas. Manly
& David Stone Esqrs.

It was Resolved that the President of the Board be directed to pay the last instalment due for the stock in the Bank of Cape Fear subscribed for by this Board in Jany. 1837.

P. BUSBEE,
Sec. pro tem.

Renewal of notes

EXECUTIVE OFFICE

April 16 1838.

Board met.

Present as on the 14th Instant. Board passed upon sundry notes presented for renewal and then adjourned.

P. H. BUSBEE,
Sec. of L. Board.

His Excellency E. B. DUDLEY Pres. of Lit. Board of No. Ca.:

Tyrrell survey.

Dr Sir: Since my return I have made a plot of the 22,000 acres in Tyrrell & find the surveys to have been badly made and that as I expected overlapped in part the 56,000 acre tract—the exact quantity not yet ascertained.

Claims of Collins and Hall.

The chief value to the State of the 22,000 acre tract will be to bar the claims of J. Collins whose patents would otherwise conflict with the Hall Patent and impair the State's title to the land about to be drained. I have found great difficulty to obtain hands, but have at length succeeded in getting the requisite number (10) to provide two field parties. My assistants have assembled and we leave here for Pungo River tomorrow. Two levels which I left at Balt. for repair are now on the way having been expected for nearly a month; their nonarrival however will not retard our operations as we have one in good order and while awaiting the arrival of the others, I shall employ the party unprovided with a level in surveying the tract. Our camp equipage instruments and provisions left here today. I pay to the owners of hands either \$10 per month, finding them clothes, or \$12 & the owners fur-

Cost of food and labor of surveying parties.

nishing them. These are much better terms than I at first thought I could make as the Agent of Contractors on the Wilmington R. R. have taken most of the open hands from this part of the country and are now offering \$100 per annum for all they can obtain. Corn is now on the advance with no prospect of its being cheaper before November—the price on Pungo is \$5 for which reason I have taken advantage of a rather large supply now in this market & have purchased 15 bbls at $3\frac{1}{2}$ which will last until new corn comes. Clark's Mill will be midway between the two parties and on that account corn is preferable to meal. I have also made a contract for the supply of bacon for the season at 10 cts which is lower than pork can be purchased for here. There is no economy in short allowances of food or indifferent clothing for working-hands, especially in work like ours. Still there shall be no waste the caterer of each party will weigh out each man's weekly allowance every Sunday morning.

I have written to Judge Donnell, Mr. Smallwood and the Heirs of J. G. Blount, enclosing to each a copy of the proceedings of the Board at its last meeting and a copy of the Map of the 56,000 acre tract; and I have made known the conditions on which the location of the Alligator Canal will progress. Judge Donnell has written in reply expressing an acquiescence in the required relinquishment but postponing a definite answer until a meeting with Messrs. Blount & Smallwood. From Mr. Smallwood I have not heard. General Blount on the part of his father's heirs gives assurance that every thing shall be done which is proper—an answer will be returned by them in a few days. When I have heard definitely from all the parties, I shall write again on the subject. I advised Mr. Sam Topping of his appointment and sent him a copy of the proceedings in conformity to which the commission is to act. He was here two days since, and expressed some scruples about undertaking the task, but begged some further time to consider the matter.

Release of Donnell
and others.

Need of funds.

I have nothing else of importance to communicate except that my funds are low and large expenses commencing. I shall want \$900, the expense of two field parties for two months, that of a single party for one month including the pay of assistants being \$225 as nearly as I can estimate.

I shall return here week after next to take leave of my wife who will leave shortly thereafter for Virginia, after which I shall divide my attention between the surveying parties.

I hope that in the course of the month of May you may find it convenient to visit the scene of my operations & at least take a look at the land.

I shall write whenever it may be necessary, and in the meantime begging to be respectfully remembered to the Members of the Board in Raleigh, remain

Your ob. servant

CHAS. B. SHAW.

WASHINGTON N CA. Apr. 9 1838

N. B. I have read as yet no copy nor seen but one (sent to the P. Master) of my Report. There are some errors.

Check and reports
received.

His Excellency

E. B. Dudley;

D Sir:

Your communication covering a cheque for \$900. came safely to hand and also a package containing 14 copies of the Report. The latter I had supposed intended for my private use having spoken to Mr. Gales to print some extra for that purpose and had so corrected them somewhat to my subsequent report—so but one of the pamphlet copies beside my own has ever reached this place. Genl. Blount has received none and I have been compelled to let him have the single copy I had reserved for myself.

Release of Donnell
and others.

Despairing of a reply from Mr. Smallwood, I addressed a second letter to Judge Donnell, explaining as fully as I

could the view of the Board and requesting him to confer with Mr. S. I saw Judge Don. Tuesday and he handed me the enclosed paper, which I have since submitted to Genl. Blount and his connexions and you may expect shortly to receive his signature to a similar document. When this difficulty is I trust gotten over. Judge D. communicated to me the wish of Mr. Smallwood that the question of assessment might be determined without the intervention of the commissioners and seemed to wish as much himself, but the Blount family, I think, prefer the mode you have adopted. You probably expect me or some one on your behalf to represent your interests when this commission shall be in session; should you do so, it is necessary that my views should accord with your own & that you may understand mine. I here present them for your consideration; the ample time which will be required for reflexion on this subject may well be employed in digesting some plan which may be general in its operation; and if my plan for this purpose can be improved, which is very possible, I should like to be possessed of your opinions or your instructions if you wish me to act for you. Asks instructions.

The Rutman's Crk. Canal will illustrate my proposition. This Canal will run for 4 miles (after the cession of the triangular gore of land) between the State tract and the Hall tract and afterward one mile through the front Patents to Pungo River. In the last two miles the action of the main canal will be limited, as you will perceive from the State Map, in consequence of the contiguity of creeks, one above, penetrating the country about two miles and distant from the proposed canal 1 mile; and a longer creek (Woodstocks) about the same distance below but which curves away to the East as it is ascended; & therefore as far as the drainage of the Hall tract is concerned confers no more benefit than the shorter creek above. Still it is very evident that but a small assessment can be made upon the land contiguous to the lower two miles of the Shaw's plan to assess property of those benefited by canals.

canal. The tracts through which it would pass are, some of them, very small and could perhaps be drained at less expense by small canals leading directly to the River, to which moreover they are so near as not to reap the same benefit in regard to the navigation of the canals & the use of the road upon its banks as do those lands deeper in the swamps. I would therefore leave to the Commissioners as a matter of little importance the arrangement of the indemnity in regard to the small tracts in front and of course almost the entire advantage is felt upon the back lands. This canal will cost about \$5,000 per mile and the 4 miles between the State and Hall tract about \$24,000. When the secondary canals shall have been cut its influence would extend 5 miles to either side, & its capacity would be equal to the drainage to that extent—40 square miles are equal to 25,500 acres—one half on either side of the canal; but it is to be remembered that on the side of the State the gore of land lying on the canal is a part of the Hall tract and to be considered in fixing the quantity of land to be ceded by the proprietors. This gore and the land necessary for the Canal will amount to about 1,840 acres & from its position I should estimate its value at double that of the rest of the Swamp.

I now propose to consider the Literary Board and the Proprietors of the Hall tract (temporarily and till partition can be made) joint partners in the whole of this tract of 2,500 acres; and with a view to determine their respective shares after drainage I would credit each of the parties with the value of their Contributions whether in Land or money, affixing as I have before said double value to the ceded gore of lands. I would then partition the whole tract according to the amount severally contributed. The amount would then stand thus taking the taxed value of the Swamp lands.

Contributed by the Board 10960 acres @ 26	
cts.	\$3,640
Last 4 miles of Canal @ \$5,000 per mile.....	24,000
	\$27,640
Contributed by proprietors of the Hall Tract	
1840 acres @ 50 cents.....	\$920.00
811 sq miles on E. Bank of the Canal (double	
value 2560 acres @ 51 cents)	1280.00
10240 acres @ 25 cts.	2560.00
	\$4760.00
	26740.00

Whole contribution of Board & Prop. of Hall
tract\$31,500

In the *pro rata* distribution, were the tract to be divided between the two parties, by lines drawn at right angles to the Canal, their shares would be found by the proportion "As the whole contribution is to each party's contribution, so is the whole tract reclaimed to each party." And the share of the Private Com. would only be 3868 acres of the entire tract, of which they had contributed 14640 acres including the land upon both banks of the Canal.

It being proposed however that the whole of the land on the west side shall be the property of the Board we must consider the value of 1 mile square on the bank of the Canal in relation to that of a square mile merely fronting on the Canal and extending five miles back. Whatever be the breadth of the front the first mile in depth being taken at 50 cts. per acre, & the remaining 4 miles at 25 cts., the average value of the strip taken at Right Angles with the canal is found to be 30 cts. per acre; consequently to purchase the exchange of a Front for an acreage tract, 5 acres must be awarded instead of 3 an additional 1226

acres will fall to the proprietors of the Hall Tract, making their entire share of the tract 5094 Acres and the quantity they would be required to cede to the Literary Board 9546 acres of which 1840 would be west of the East bank of the Canal and 7706 acres on the East of the same line.

The partition would be most equitably made by taking alternate tracts of one half mile front on the canal and extending back five miles, as that method would give equal chances to the same parties in case the land should vary in quality as it most probably will.

Constructs quarters
for hands.

The surveys now in progress will completely explore the gore of land ceded by Blount Donnell & Co & its actual value will be ascertained long before the final assessment can be made. I have been unable to get tents and have therefore had permanent quarters created for each party on the immediate theatre of its operations; I think the cost is about the same as that of tents & they will be more comfortable in cold or wet weather.

I have nothing at this time to communicate. My address after this date will be permanently the Log House Landing Beaufort Co. Mrs. Shaw has gone to Virg. and my time will be entirely employed in the mangr. of surveys & preparations for constructions.

With great respect I am Your Excellency's Obt.
Servant, CHAS. B. SHAW.

WASHINGTON April 26 1838.

(The following was included in the preceding letter of Mr. Shaw)

Release of Donnell
and Smallwood.

It being represented to us that the Board of Literature on behalf of the State propose cutting a Canal from Alligator Lake to Putnam's Creek and prefer locating the same according to a plot exhibited to us by their engineer Chas. B. Shaw Esquire which would extend the Canal through our part of the Hall Tract and leave a gore of land between the State Tract and the line of said Canal, we agree to release and relinquish to the State our title

to the said gore of land, and also our title to the land to be occupied by the Canal and its banks & will when required execute deeds of Release according to our respective interests, to said land—it being understood and agreed between us and the Board of Literature & upon this condition do we agree to a release, that the land so released shall be taken into consideration in ascertaining what portion of our lands adjacent to said canal shall be relinquished to the State in consideration of the benefit or advantage to the remainder of our lands to be derived from said Canal and upon the further condition that we & those holding under us shall have the privilege of draining our Lands with said Canals & cutting ditches and canals into it for that purpose.

April 22d, 1838.

(Signed) M. DONNELL (Seal)
E. SMALLWOOD (Seal)

Executed in presence of

THOS. S. SINGLETON.

EXECUTIVE OFFICE

May 1st 1838

Board met agreeable to the call of the President:

Present, His Excellency E. B. Dudley, Pres. ex off.
Chas. Manly & D. W. Stone Esqrs.

The letter of Mr. Chas. B. Shaw of the 26th ultimo, was submitted to the Board and the views he presented therein of the manner of adjusting and settling with the proprietors of the Swamp Lands through which it is proposed to cut canals &c. were approved; and it was therefore *Resolved* that Chas B. Shaw Esqr. the Engr. be constituted and appointed the agent on the part of this Board to make the contemplated arrangements with the individual proprietors as proposed.

Shaw's plan of assessment approved.

Resolved also that Mr. Chas. B. Shaw be directed to have

Shaw to have certain deeds made.

deeds of bargain & sale executed by the parties for their lands proposed to be relinquished or conveyed by them—*conveying the absolute title* of said lands to the *President & Directors of the Literary Fund of North Carolina* & that he have the said deeds registered in the county or counties in which the lands conveyed may be situated & then transmit the said deeds to the President of this Board to be filed in the Secretary of State's office.

Two notes were renewed, the Instalments and Interest having been paid off.

The application of Wm. Gee for a loan was submitted to the Board and rejected.

The Board then adjourned subject to the call of the President.

P. H. BUSBEE,

Sec. pro tem to Board of L. Fund.

EXECUTIVE OFFICE

RALEIGH May 3 1838

Deeds, releases,
assessments, etc.

Dear Sir: I hand you herewith copy of the Resolutions of the Board of the Literary Fund growing out of your communication of 25th ult.

The execution of the Deed or Deeds of Land and rights therein mentioned should be considered as a *sine qua non* to the commencement of any operations except surveys, on your part and should consequently be done with as little delay as possible.

I hand you herewith also the agreement of Messrs. Smallwood & Donnell which you may require in your further negotiations with these gentlemen.

The small proprietors near the river you make any arrangements with which may appear right, keeping in view with them to secure the land we shall wish to occupy with the Canals *without a resort to law*.

The provision of the act for assessment &c. should be followed if possible it is our guide and shield with the people & state. We have always less to fear from both

in the enforcement of the law on large proprietors than small or the poor man & rightfully.

The copies of your Report sent to you were for your private use if you wished and as many more as you may want for private and public—a copy was sent to the P. Office for Genl. Blount & others in that section of country.

I am with great respect Your obt. Serv.

EDWARD B. DUDLEY.

C. B. SHAW Esqr.

Engineer.

Log House Landing

BEAUFORT.

EXECUTIVE OFFICE

May 3 1838

Board met this day by Call of the Prest.

Present His Excellency Edward B. Dudley, Prest. ex of. Chas. Manly & D. W. Stone Esqrs.

When several notes were renewed and a new loan of Renewal of loans. 200 dollars was made to Wm. E. B. Freeman.

No further business the Board adjourned.

P. H. BUSBEE,

Sec. pro tem.

May 21st 1838

The Board of the Literary Fund met present His Excellency Edward B. Dudley Pres. ex officio D. W. Stone & Chas. Manly Esquires.

Communications from Genl. T. Polk & Chas. Fisher Polk and Fisher loan. Esqr. upon the subject of their debt to the Board were read and considered & Mr. Manly requested to write to Mr. Fisher & inform him that their proposition for future indulgence cannot be granted, but that the debt must be reduced & the back interest paid.

There being no further business the Board adjourned.

CHRISTOPHER C. BATTLE,

Secretary.

PROCEEDINGS OF LITERARY BOARD.

TREASURY DEPARTMENT, N. CA.

May 22nd 1838.

Receipt for money. Rec'd of C. C. Battle Secretary of the president & Directors of the Literary Fund Two thousand nine hundred and sixty eight dollars as principal paid in, on loans made by said Board. For which I have given two receipts of same tenor & date.

\$2968.

D. W. COURTS, P. Treasurer.

TREASURY DEPARTMENT No CA.

May 22nd 1838.

Receipt for money. Rec'd of C. C. Battle Secretary to the President & Directors of the Literary Fund Two thousand two hundred & fourteen-95-100 Dollars as interest on money loaned by said Board, for which I have given two receipts of same tenor and date.

\$2214.95.

D. W. COURTS, P. Treasurer.

These are the words of the receipts of the Public Treasurer which I have on file in the papers of said Board.

CHRISTOPHER C. BATTLE, Secty.

Log House Landing, May 31st 1838

His Excellency Edwd. B. Dudley

Difficulties in
making surveys.

Dear Sir: The surveys preparatory to the location of the largest of the canals have progressed with unexpected slowness. The late fire has been less destructive to vegetation in the centre of the Dismal, & instead of lightening the labor of cutting through the dense undergrowth its only effect there has been to scorch away the leaves, leaving the thickets more impenetrable than before every bush and brier being now nearly as hard as iron. The weapon which has been found most effective in cutting the way is a light broad-bladed coopers axe with a handle 4 ft. long. Unfortunately those which had been previously used were so injured by the fire as to be of no use, & my

efforts to procure a new supply in Washington were ineffectual. I have very recently been able to purchase some secondhanded weapons of the kind in this neighborhood & the work now goes on more expeditiously. Still such is the difficulty to cut through the swamps, that not more than 1-3 of a mile per day can be averaged. No one who has never witnessed such a growth can imagine its appearance. Some of the thickets are from 8 to 10 ft. high & present a tangled mass of shrubs & vines upon the top of which it would be possible to walk, & which not even a dog could penetrate. The foremost axeman divides this mass by successive downward blows of the weapon I have described & forcing his body in, bends the growth to one side, when it is cut nearer the roots by those who follow. The soil has not been much burnt, though the timber is nearly swept off. The depth of soil is from 3 to 8 ft. The Pungo lake line has progressed more rapidly. The survey preliminary to location will finish today, except the triangulation of the lake shore for the purpose of fixing the most suitable point for the origin of that canal. The general specifications are prepared and the Pungo canal will be ready for contract early in June, at which time in accordance with the resolutions of instructions passed during my visit to Raleigh I propose inviting the attention of contractors. The list of bidders for contracts with the prices at which they propose to execute the work, & such other information in regard to their character and ability as may aid in making a selection, I shall transmit in due season & with them the General Specification and the form of contract I would recommend, which should you disapprove may be modified before the arrangements are entered in to. With these data and the information which the Board may elsewhere obtain they may select contractors which I would prefer to making the selection myself. I should also prefer that the agreements should be between the Board & contractor & not between the latter & myself

Pungo Lake survey nearly completed; contract can be made in June.

Form of contract for digging canal.

as your agent, as in all probability the entire of the work will hardly be put under contract before July & my departure from the country arrives. Still in this & all other matters which do not obstruct the execution of my plans, I submit to the instructions of the Board, meaning only to offer my counsel. Your letter of May 3d from some inexplicable cause never reached me until the 17th inst. & under circumstances which prevented my immediate reply. The resolution of the recent session restraining other operations than surveys until after the execution of deeds to the Board of Literature, I have ventured to suppose might not apply to the Pungo Canal when no such deeds will be necessary, and shall not therefore delay the executions of the former resolutions authorizing advertisements for contractors. That canal will be ready for the inspection of those desirous of making contracts much earlier than the Alligator Canal the preliminary surveys for which are still incomplete and will probably not be finished until the middle of June. I have been unable to take any legal advice upon the subjects but should suppose that no deed could be executed by Blount Donnell & Co. until the location shall have ascertained the quantity of land they are to cede. If it be possible for them to execute to the Board a deed for an indefinite and not entirely described piece of land, I should advise such a course, as otherwise great delay will occur in letting this canal. Could the same course be pursued as with the Pungo canal, the contract might be advertised even before the location was quite completed when as under the present restriction it could not probably be done until two or three weeks afterward. I have seen all the parties myself except Mr. Smallwood and do not entertain the slightest doubt of their executing the necessary deeds, as they promise, when called upon, & I fear the strict execution of the resolution to which I have referred may occasion a delay in the progress of the work which the Board will regret. It seems to me that there could not be the slightest risque in *receiving*

Releases, deeds,
etc.

proposals for these contracts. The necessary steps for the transfer of the property to the Board of the literary Fund might be taken as soon as the location could specify the property to be transferred & the necessary deeds should in all probability be in possession by the time that the Board would have directed what contracts were to be entered into. Should they not be obtained contracts might be suspended. The staking out of limits of cut & the situation of the embankments would afford abundant occupation to the surveying parties. It would also in the interval between the reception of the proposals & the formation of contracts, be advisable to make such surveys and examinations of the 22,000 tract in Tyrrell (which lies contiguous to the one on which we are now employed) as may define its position and ascertain in what way its drainage may be facilitated by the works now in contemplation or whether for that purpose they may not require modification. The most material features in the contracts about which I desire information are, the nature of the security required of contractors & the modes in which payments are to be made. One of the usual modes is to take a penal bond for the faithful performance of the contract, from the contractor, & one or two approved securities and, in addition, to withhold 10—15 or 25 per cent of each monthly payment until the entire contract shall have been fulfilled. A second and entirely preferable method in my opinion, is to require no security but to keep back 25 per cent from each estimate, until the final one reserving to the Board the power to vacate the contract through their Engineer, whenever in his opinion the work shall not seem to be prosecuted in good faith or with proper diligence. To be obliged to have recourse against securities would place the Board in a position (to say nothing of the vexation of law suits) which would only afford them a *chance* to obtain what by the other method they can *make sure of*—an equitable fulfilment or a vacation of every contract.

Kind of security
given by contract-
ors and the pay-
ment for work.

The method of personal securities, would, moreover, give a monopoly of contracts to the wealthy and would of course make the execution of the work more expensive by precluding the competition of poor men of good character, who would be contented with small profit. The disbursements, I would propose to be made by the Sect'y of the Board upon my certificate or those of my assistants Mr. Wm. P. Mumford & Mr. R. L. Myers after a proper examination & audit by the Board. Messrs. Mumford and Myers are instructed in all their duties & can after my absence, with the specific details furnished them & such instructions as I may transmit, superintend the excavation and make the monthly estimates. They are both young men of high integrity & unrelenting attention to their duties & I feel no hesitation to adopt the consequences of any act of theirs. With a view to punctuality in the disbursements, which will be necessary for the vigorous prosecution of the work, it would be better that the Board should fix upon a certain day in each month on which to examine and audit contractors accounts. Cheques payable to their order (that of the contractors) may be then transmitted to the assistant in charge at known periods & the contractors suffer no disappointment. Should the Board take my order on this last suggestion, I should like to be informed (when they order contracts to be entered into) of the day of the month they may fix upon. I feel much obliged by the offer for my private use of such copies as I may want of the Report & I should like to have half a dozen if it does not prevent their distribution in quarters where they may be more wanted, than where I contemplate sending them. But what I chiefly feel anxious about is their circulation in Hyde & Beaufort Counties, for which purpose I would recommend that a sufficient number of copies be sent to Genl. Blount & myself for the purpose.

Distribution of
reports.

Sickness of surveying parties;
new quarters
erected.

There has been but one case of indisposition in my two parties of surveyors & one among the hands: two of the men have been temporarily disabled by Cuts with axes or

hatchets one so severely in the ankle as only to be useful in such work as can be done about the quarters. After the fire I directed the temporary occupation by that party of an old building on the road a few miles from the work, feeling at this crisis to consume any more valuable time, in construction of quarters by the labor of our own hands. But the work has now progressed so far into the dismal as to make it necessary to have quarters nearer to it. I have therefore hired three more hands, whom with the one above mentioned I shall employ in building two log dwellings. The two on Shallop creek still standing have cost, in labor—superintendence & materials, about \$90 which will be about the cost of those I propose to build upon Rutman's creek. The wishes and instructions of the Board in regard to the arrangements to be made with land holders will be punctually attended to. I shall write again early in June transmitting my accounts.

With much respect I remain your Obt. Servt.

CHAS. B. SHAW.

EXECUTIVE OFFICE

RALEIGH June 5th 1838.

On a call of the Prest. the Board of the Literary Fund met present His Excy. Edward B. Dudley Pres. ex officio Chas. Manly & D. W. Stone Esqrs.

The Prest. laid before the meeting a letter of Mr. Shaw—Engineer—dated 21st May which was read considered & the following order taken thereon.

1st. In the making of contracts the Engineer is directed to have them executed in the name of the Corporation, containing a stipulation that the Board by their orders—Engineer or Agent, may at any time, make necessary deviation or alterations in the contracts upon making suitable pro rata compensation therefor, and reserving also the right to terminate at any time any contract which in the opinion of the Engineer is not prosecuted with fidelity & dispatch.

Form of contract
to be made by
Shaw.

2nd. Personal security should not be required of contractors, but in lieu thereof 25 per cent of the Value of the work done shall be reserved at each periodical settlement until the contracts shall have been completed and approved by the Engineer.

3d. Monthly settlements are to be made with contractors by the Engineer or his assistants & the Board furnished with estimates thereof and upon these monthly certificates of the Engineer or his assistants payments will be made of 75 per cent of estimated work.

4th. The monthly settlements & estimates herein provided for, the Board recommends should be made and completed up to the last day of each month.

A note was renewed and there being no further business, the Board adjourned.

CHRISTOPHER C. BATTLE,
Secty.

EXECUTIVE OFFICE
RALEIGH June 7th 1838.

Additional instruction as to deeds, contracts, releases, etc.

Dear Sir: Your favor of 21st ult. has been received and submitted to the consideration of the Board of the Literary fund & the enclosed resolutions resulted therefrom. To which I have to add that the previous order relative to obtaining deeds of relinquishment & cession before the location of the canal was intended particularly to apply to the deed expected from Messrs. Donnell, Smallwood & Blount, & to the Alligator Canal. It was necessary to make the resolution general in its terms that no exception could be taken at it by those gentlemen & at the same time to furnish you with authority how to proceed in the matter. With all other proprietors of land you will pursue such course as the law and circumstances may render necessary and proper; but as regards the Alligator Canal the Board would decidedly prefer changing the location to our territory without a deed can be obtained before the commencement of the work. I saw Mr. Small-

wood a few days since and I understood from him that he had or was ready to sign a deed agreeable to our views. He complained of some reluctance on Judge Donnell's part which he had or was endeavoring to overcome. The Board intends you to be entirely free from the provisions of the late resolution as regards your operations on Pungo Lake.

It is not necessary for you to delay in getting a deed to ascertain the quantity of land to be conveyed, calling for the line of the Canal from such a place to the Lake, describing the course will be all sufficient to convey all the land on the West &c. be the number of acres more or less. Your Lawyer however will very readily arrange the matter & we should wish you to employ legal assistance in the matter & have it done with all necessary precision.

The Board think it will be necessary for you to make the contracts & other trades as much in the name of *the corporation* as possible to have you and assistants disinterested witnesses in the event of having to resort to law.

You may make your arrangements with the contractors & other employees to be paid here or at Washington as you or your assistants order. If preferred in Washington advise me & money will be placed in deposit there to check on for that purpose. We hope it will be in your power to be ready to let contracts to the first persons relieved from their crops to take them & to prosecute the work with vigour.

Mr. Battle will send you additional numbers of your Report for distribution agreeably to your request.

I am with respect Your Obt. Servt.

EDWARD B. DUDLEY.

C. B. SHAW, Esq.
Engineer, Hyde.

Expenses of the
Board.

Warrant No. 184 (See Warrant Book) drawn in my favor to defray expenses to 6th June. E. B. Dudley, D. W. Stone & Chas. Manly for 14 days attendance—\$3 per diem	\$42.00	each—making Total	\$126.00
C. C. Battle, Secy. 14 days \$3 per day—Total	42.00		
			\$168.00

C. C. BATTLE, Secy.

Log House Landing June 23d 1838

His Excy. E. B. Dudley,

Contracts adver-
tised for.

Dear Sir: Previous to the receipt of your letter enclosing a copy of the proceedings of the Board at their meeting of the 4th inst. I had as you were pre-informed advertised contracts on both the Alligator & Pungo Canals & having been informed by Genl. Blount that it was his opinion, wherein he thought the Board would concur, that personal security would be required I so advertised, though against my own judgment; having now your authority to dispense with it, I shall have the advertisement corrected. My delay to propose deeds of release to the proprietors of the Hall Tract did not arise from ignorance of the quantity of land to be conveyed so much as ignorance of the bounding lines necessary to any description of it which could not be ascertained until the line had been run and its suitability for a Canal determined.

Release of Donnell,
etc.

At the time of writing my last letter, I transmitted a proposition through General Blount to the different members of his family interested in the transfer of right, with a plot and description of the gore of land required to be conveyed which by a change in my plans is only 823 acres & about 50 or 60 more for the site of the canal & banks. He seemed to doubt their willingness to convey absolute title while some uncertainty exists in regard to the construction of a canal; whence my remarks to such effect at my writing. I am not yet informed what was the result of my proposal. It was especially addressed to Mr.

Grimes who was about to leave Washington for White Sulphur Springs in hopes to obtain his signature before his departure. Judge Donnell appointed me Saturday evening last to meet him this place when I waited for him four days and finally missed him by a few hours. Mr. Smallwood has misinformed you as I think, about J. Donnell's unwillingness to make a deed. I shall pass through Wash'n next week & will place all the papers & facts in possession of a lawyer (I think of Mr. Toole) through whose management this matter may be arranged as I hope to meet your wishes.

Before I received your last letter I had prepared among Form of contract. a number of forms necessary for the guidance of my assistants during my absence a form of contract, which I herein enclose, to be altered or amended in such way as the Board may think expedient. Should any other form be preferred, please enclose it addressed to Messrs. Myers & Mumford Asst. Engineers Log House Landing. I should also like them to be informed at the same time whether they themselves are to decide upon the proposals received; or whether they are to be transmitted to the Board for them to select contractors. Your resolutions seemed to contemplate the first plan; it would possess the advantage of expedition, & I see no hazard in its adoption under the form of contract enclosed. I also think that their general acquaintance with the people of the country & their honorable characters, for which I hold myself pledged, would make them perhaps better judges than the Board could be at such a distance. It is however a matter for the decision of the Board. I enclose a form on which it is proposed to exhibit at one view all the bids for contracts. Another is prepared in case you should direct the selection of contractors by my assistants, showing the names of contractors their contracts and prices, residence &c. Contracts will in that case be drawn signed by the Contractors & transmitted for your signature. In the former case they can be

Some details of
work in progress.

drawn in Raleigh signed there & transmitted here for the signatures of the contractors. I shall not have the contracts printed until from their number it becomes necessary—they can be written. I shall send herewith the specifications to be appended to & form a part of the contracts should the printers have finished them in time. Before the arrival of the next mail in Wash'n after this shall have left I shall be on my way to Charlottesville, Va. I have left with my assistants letters of instruction & tabular forms whereby I shall be informed of all occurrences upon the work every two weeks & oftener if necessary. I adopted some regulations for the discipline of the corps of assistants, to take effect on the first of the present month, in which I rated the pay of levelers at \$1.50 instead of \$2.00 per day, not absolutely with a view to reduce the pay which is not more than equivalent to their very arduous service, but that I might not be under obligation to give high wages to one of moderate desert, for the better reason I reserved the discretionary power in any individual case to increase the pay. We have now one good leveler and one untried but promising. They all discharge their duties with alacrity and cheerfulness, though for two weeks past the Swamps have been flooded mid deep with water. I transmit the draught of these regulations that you may know what is the state of discipline.

Funds to be sent.

June 26th. I am just informed that this letter will not in all probability find your Excellency in Raleigh. Before the Board can act upon this communication I shall have left Wash'n where I now am & wishing to provide for the necessary service of the Engineer Corps by a deposit to the credit of my Assistants I have drawn at this date in favor of Mr. Myers the Pres. of the Bk for \$1081.64 the amount of my estimate for the disbursements of the present & coming months including a balance due to myself. Mr. Green's receipt for \$119.75 which I have not yet recvd. I shall now be able to transmit in a fortnight from

this date, intending to visit Baltimore for the purpose of having some repairs done to our instruments. Genl. Blount has my vouchers for my last act in his possession & has for some time been seeking a safe opportunity for their transmission.

Among the papers sent herewith are powers of Atty. to Mr. R. L. Myers to receive the hire of certain of our hands.

I also send a form of the printed specifications for the construction of the contemplated canals; I should send more but do not expect to get contractors in the neighborhood of Raleigh. You will find in them certain Blks. which are to be filled up when contracts are entered into the Specifications being intended to be embraced in the contracts. I have this day employed Mr. Toole to take all necessary steps to procure the requisite deeds from Messrs. Blount, &c I hope the formation of contracts will suffer no hindrance on that account.

Legal services of
Toole secured.

Your Excellency's most Obt. Servt.

CHAS. B. SHAW.

EXECUTIVE OFFICE,
RALEIGH, July 2nd 1838.

The Board of the Literary Fund met Present
His Excellency Edward B. Dudley Pres. Ex Officio
D. W. Stone & Chas. Manly Esquires.

A letter from Mr. Shaw the Chief Engineer dated 23d July A. D. 1838 accompanied by forms of Contracts, Specifications for Canals, &c was submitted to the Board when it was

Resolved 1st. That said form of contract with certain corrections made by the Board is approved & the Secretary is directed to return it to the Engineer or Assistants.

Resolution as to
contracts, etc.

2nd. That the Engineer or his Assistants shall pass upon all bids and select the contractors.

3d. The Contract will be first executed by the Contractors after filling up & then by the Board under the seal of the Corporation & returned to the Engineer as the depository of both Parties.

Seal of Board to be secured.

4th. The Secretary of the Board is directed to cause a seal of this Corporation to be made as soon as possible having on it the words—"Seal of the President & Directors of the Literary Fund of North Carolina," with such device as the Engravers may choose.

The following notes were then renewed and the Board adjourned till 6 o'clock P. M. tomorrow.

Nos.

CHRISTOPHER C. BATTLE, Secty.

EXECUTIVE OFFICE July 3d 1838.

Board met. Prest.

His Exy. Edward B. Dudley Pres. ex off.

D. W. Stone & Chas. Manly Esquires.

Notes renewed.

The following Notes were renewed & the Board adjourned till 6 o'clock P. M. tomorrow—Nos. 7—18—19—20—& 40.

C. C. BATTLE, Secty.

EXECUTIVE OFFICE July 4th 1838.

Board met Present.

His Excy. Edward B. Dudley Pres. Ex Officio.

D. W. Stone & Chas. Manly Esquires.

Notes renewed.

The following Notes were renewed & then the Board adjourned till 6 o'clock P. M. tomorrow. Nos. 2—5—6—& 12 & 22.

C. C. BATTLE, Secty.

EXECUTIVE OFFICE July 5th 1838.

Board met Present

His Excy. Edward B. Dudley, Pres. ex officio

D. W. Stone & Chas. Manly Esquires.

Notes renewed.

The following Notes were renewed & a letter from Mr. Toole the Attorney for the Board was submitted by the

Secretary and laid over for further consideration. Nos. 10—11—and 49.

CHRISTOPHER C. BATTLE, Secty.

EXECUTIVE OFFICE July 6th 1838.

Board met Present

His Excellency Edward B. Dudley, Pres. ex officio,
D. W. Stone & Chas. Manly Esquires.

There being no new Notes for renewal the Board adjourned till 6 o'clock tomorrow P. M. No business.

CHRISTOPHER C. BATTLE, Secty.

EXECUTIVE OFFICE July 7th 1838.

Board met Present.

His Exclty. Edward B. Dudley Pres. Ex Officio,
D. W. Stone & Chas. Manly Esquires.

There being no new Notes offered for Renewal the Board adjourned till 6 o'clock on Monday evening the 9th inst. No business.

CHRISTOPHER C. BATTLE, Secty.

EXECUTIVE OFFICE

RALEIGH, July 9th, 1838.

Board met Present

His Exclty Edward B. Dudley Pres. Ex officio
D. W. Stone & Chas. Manly Esquires.

The letter from H. J. Toole Esquire covering two deeds from Messrs. Blount & others to the Board for consideration & asking advice was resumed & considered & thereupon

Resolved 1st. That in the deed of bargain & sale the Covenant of General Warranty be not insisted on & the Clause of Special warranty only retained. Deeds amended;
Toole informed.

2nd. That in the Covenant of submission to award &c. the word "admitted" in the 4th line of the 2nd page be stricken out & the words "alleged by said Pres. & Directors" be inserted.

3d. That Mr. Toole be informed of these alterations &

that he be requested to have the deeds re-executed in conformity thereto. Note No. 47 was renwd & there being no further business the Board adjourned.

CHRISTOPHER C. BATTLE, Secty.

WASHINGTON No. CA. 1st July 1838

Gov. Dudley Pres. ex officio of the Lity Board.

Toole discusses the provisions of deeds to certain lands.

DEAR SIR: Your Engineer Mr. Shaw left this place for Virginia, about a week ago & before his departure employed me as an Atty to draft & procure the execution &c. of a deed from the proprietors of the Hall Tract of land in Hyde County, for the gore of land lying between the proposed line of the Canal from Alligator Lake to Rutman's Creek & two other parcels of said tract to be occupied by the Canal and its banks. Also as the land then to be conveyed was not considered by Mr. Shaw or the Board a full compensation for the benefits to be derived by the proprietors of the Hall Tract from the proposed canal to draft & procure the execution &c. of an assignment of an award by a Board of Commissioners as contemplated by the Resolution of the Board of the 17th of March last I have prepared both the deed & the assignment for an award & obtained the signatures of Maj. Thos. H. Blount for himself & as Guardian. I visited him at Ocracoke bar for that purpose understanding from Mr. Shaw that the Board considered it important that the matter should be adjusted as soon as possible. Genl. Wm. A. Blount objects to signing them 1st. because he is unwilling to enter into the Genl. covenant of Warranty which my deed contains. 2nd because he can not admit that the land conveyed in the deed is not a full compensation for all benefit to be derived from sd. Canal.

Upon the first point I will only observe that his objection evinces a distrust of his title; and upon the second point that he differs from Mr. Shaw the Engineer & his brother Thos. H. Blount, if I understand him correctly. The discretion left to me in the subject is felt to be un-

pleasant. I have concluded therefore to lay the deeds before the Board and ask their instruction. 1st Shall the covenant of warranty be stricken from the deed. 2nd. Is the Canal mentioned & conveyed by the deed of bargain & sale a sufficient compensation for the benefit to be derived by the proprietors of the Hall Tract from the proposed canal? If so the Board will of course depart from their resolution of March 1st 17th. Upon the whole I wish to be fully instructed. I enclose the deeds that you may perceive more fully the nature and force of the objections. The first point you will perceive is of the most importance. The second objection may perhaps be obviated by a change of the phraseology. I am respectfully, Your Obt Servt.

HENRY J. TOOLE.

EXECUTIVE OFFICE,

RALEIGH July 9th 1838

DEAR SIR: Your favour of the 1st inst. has been received and submitted to the consideration of the Board of the Literary Fund & I hand you herewith a copy of the action thereon which it is hoped will meet the views of Genl. Blount & enable you to get the deeds signed by all the Parties. The first objection made by Genl. Blount has been yielded & the 3d so much modified as to leave the consideration with the Assessors to decide which we presume in his peculiar situation will be most acceptable to him. Deeds modified.

We shall be pleased to have the deeds executed as early as possible to prevent any delay to the contracts for the canal & when done or the execution reported you will please inform us immediately.

The Board is now partly disposed to alter the location of the Canal entirely within the limit of the land of the State to avoid *all* difficulties & if any objections should now be made to the execution of the Deeds, will very probably do

so. The great objection to such a step would be the delay and expense which must necessarily attend a new survey and location.

I hand you herewith both deeds with the alteration marked which is believed necessary for your government.
I am very Respectfully

Your Obt. Servt.

EDWARD B. DUDLEY.
Pres. ex officio.

H. J. TOOLE, Esq.,
Washington, No. Ca.

EXECUTIVE OFFICE July 14th 1838.

Board met Present

His Exclty Edward B. Dudley, Pres. ex officio

D. W. Stone & Chas. Manly Esquires.

Notes of Fisher
and others.

A letter from Mr. C. Fisher stating that he had forwarded \$9,000 to the Branch Bank of Cape Fear at this place for the purpose of paying back interest on his note to the Board & to reduce it to \$50,000 was submitted by the Pres. & considered.

Upon examination the board find that interest is due on the Note \$57,000 for nine months which is \$2,565 & consequently he has not sent to pay sd. interest and to so reduce the Note. Ordered that he be forthwith informed that if he will transmit \$565 the residue of back interest the Note will be renewed & suit stopped upon his paying the cost thereof.

The following Notes were renewed & the Board adjourned. Nos. 13—14—27—29—32—33—36—37.

CHRISTOPHER C. BATTLE, Secty.

EXECUTIVE OFFICE July 16th 1838.

Board met Present

His Exclty. Edward B. Dudley, Pres. ex officio.

D. W. Stone & Chas. Manly Esquires.

The Resolution of the last General Assembly directing the Board to digest a plan for Common Schools & report to the next Legislature was considered & thereon

The Governor to get information on common schools; President Swain asked to submit plan.

Resolved That the Prest be requested to procure at the expense & for the use of the Board such plans & reports on the subject heretofore submitted to the several Legislatures as may be within his reach.

Resolved That the Honble. D. L. Swain the Pres. of the University be requested to direct his attention to this subject & to suggest to the Board such plan as may appear to him most feasible & best suited to the wants & resources of the State.

The Board then renewed the following note & adjourned.
No. 41.

C. C. BATTLE, Secty.

EXECUTIVE OFFICE July 17th 1838.

Board met Present

His Excellency Edward B. Dudley, Pres. ex officio
D. W. Stone & Chas. Manly Esquires.

The following notes were offered & renewed. When no Notes renewed.
further business being before the Board it adjourned. Nos.
4—16—24—26.

CHRISTOPHER C. BATTLE, Secretary.

EXECUTIVE OFFICE July 19th 1838.

Board met Present

D. W. Stone Esqr.

There being no quorum the Board stood adjourned till No quorum.
tomorrow. 6 oclock P. M.

CHRISTOPHER C. BATTLE, Secretary.

EXECUTIVE OFFICE July 20th

Board met Present

His Excellency Edward B. Dudley, Pres. ex officio

D. W. Stone & Chas. Manly Esquires.

The following Notes were submitted, considered & re- Notes renewed.

newed, when the Board adjourned to meet on call of the Prest. Nos. 30—31—43 and 52.

CHRISTOPHER C. BATTLE, Secty.

EXECUTIVE OFFICE July 23d.

Board met Present.

Fisher note;
renewals.

His Exely Edward B. Dudley Pres. ex officio.

D. W. Stone & Chas. Manly Esquires.

A letter from Mr. C. Fisher covering \$700 was submitted. His note offered for renewal was dated the 13th inst. up to which date Interest was calculated, the Note renewed & the Secretary directed to pay the cost of suit out of the surplus money sent & stop the same. Notes Nos. 15—38 and 44 were then renewed & the Board adjourned.

CHRISTOPHER C. BATTLE, Secty.

EXECUTIVE OFFICE July 28th 1838.

Board met Present

Notes renewed.

His Excellency Edward B. Dudley, Pres. ex officio

D. W. Stone & Chas Manly Esquires

The following Notes were offered & renewed & the Board adjourned. Nos. 1—17—23—35— & 48.

CHRISTOPHER C. BATTLE, Secty.

EXECUTIVE OFFICE Augst. 8th 1838

Board met Present

No bids to dig
canals offered; new
advertisement.

His Exely Edward B. Dudley, Prest. ex officio

Chas. Manly & D. W. Stone

A letter from Mr. Shaw was rec'd & submitted informing that no propositions for contracts were made on the day, according to advertisements and recommending that the contracts be again advertised & also suggesting that the Board should hire hands & commence the work under the supervision of the Engineer &c. &c.

Ordered that the Engineer be instructed to advertise again the letting of the work & take such bids or offers as he should approve whether they be the lowest bids or not.

Resolved that the Board under Chapter prescribing their powers have no right to hire hands, & have the canals made under the Supervision of the Engineer.

Ordered that the sum of Eight hundred & Fifty Dollars (\$850.00) be sent to the Assistant Engineers according to Mr. Shaw's request & Charged to him.

The Board then adjourned.

CHRISTOPHER C. BATTLE, Secty.

STATE OF NORTH CAROLINA.

To the Public Treasurer

\$850. Pay to C. C. Battle Eight hundred & fifty Dollars out of the funds Placed under the control of the Board of the Literary Fund of No. Ca., by act of last Legislature to drain Swamp Lands, to enable me to remit to Assistant Engineers employed in sd. service on request of Mr. Shaw & this shall be your warrant. Given under my hand this the 14th August A. D. 1838

Money for
engineers.

EDWARD B. DUDLEY

Prest. ex officio Board L. Fund.

EXECUTIVE OFFICE

RALEIGH Aug. 13th 1838

GENTLEMEN: I hand you herewith, copy of an order of the Board of the Literary fund, growing out of a communication of Mr. Shaw, among other matters, that no bids had been received by you for work on the Canals.

Governor suggests
modification of
specifications for
canal work.

I have to add that the Board is very desirous indeed to secure a contract or something, not too extravagantly bad, to make a beginning of the work, which we believe would be the means of drawing out others to make bids.

Mr. Carter complains of the specifications of the contract being too prolix & not altogether explicable & by which he says that he & others are deterred from taking contracts. If such is the fact and no better can be done, the Board is willing any modification, retaining the sub-

stance, should be made, of which you believe it susceptible, to enable you to secure a contract or two to make a beginning. I have written Mr. Shaw on this subject & no doubt he will instruct you accordingly.

I hand you also enclosed agreeably to the direction of Mr. Shaw two checks of \$425 each, the receipt of which please acknowledge. I am very respectfully

Yr. Obt. Servt.

EDWARD B. DUDLEY,

Prest. ex officio.

Messrs. Munford & Myers,
Asst. Engineers,
Log House Landing.

The State of North Carolina
To the Public Treasurer

Shaw's salary.

Pay to C. C. Battle Six hundred & twenty five Dollars to be remitted to C. B. Shaw, C. E. One quarter Salary due him on fourth Septbr, out of the funds belonging to the President & Directors of the Literary Fund of North Carolina & this shall be your warrant.

EDWARD B. DUDLEY,

Prest. ex officio Board Lit. Fund.

Raleigh, N. C.,
September 4th, A. D. 1838.

EXECUTIVE OFFICE

RALEIGH September 8th 1838.

Board met Present

His Exclty. Edward B. Dudley, Pres. ex officio

D. W. Stone & Chas. Manly Esquires.

Notes renewed.

The Note of Abraham Rencher & others for four thousand Dollars was discounted & the following Notes were examined and renewed. Nos. 34—21—45— & 51. There being no further business the Board adjourned to meet at the call of the President.

CHRISTOPHER C. BATTLE, Secty.

Warrant No. 205 (See Warrant Book) was drawn in my favor to defray expenses of Board to this day viz.

Edward B. Dudley	17 days	\$51.00	Expenses of Board.
Chas. Manly	17	51.00	
D. W. Stone	18	54.00	
C. C. Battle, Secty	18	54.00	
Total		\$210.00	

C. C. BATTLE, Secretary.

Sept. 7th 1838.

EXECUTIVE OFFICE,
RALEIGH Septbr. 29th 1838.

Board met Present

His Excellency Edward B. Dudley Prest. ex officio

D. W. Stone & Chas. Manly Esquires.

Mr. Mumford the Assistant Engineer having submitted Two contracts let. to the Board propositions from Mr. Clarke & Messrs. Carter & Gibbs for cutting a portion of the Canals from Alligator & Pungo Lakes at prices exceeding the rates computed by the Chief Engineer Mr. Shaw & having asked the advice of the Board in the absence of Mr. Shaw; the Board being extremely desirous of making a commencement of the work & putting it under way as soon as possible, recommended to Mr. Mumford that he accept the proposition of Mr. Clarke to take one mile of the Canal on Pungo at 17½ cts. per cubic yard to be completed according to the plans & specifications of Mr. Shaw & that he be rushed to complete it in the shortest time that can be obtained in the contract; & that he accept the proposition of Messrs. Carter & Gibbs for a mile on Alligator at 15 cents to be executed & completed in like manner.

The subject of sundry grants issued for lands around Hyde land grants. the margin of Matamuskeet Lake dated in the year 1819 and registered in Hyde County since the last meeting of

the General Assembly was again taken into consideration & thereon it was

Resolved That the matter be referred to the Attorney General & William H. Haywood, Jr., Esqr., to inquire into & take such steps as the rights & interests of this corporation or of the State may require to have the same vacated & set aside.

Raleigh & Gaston
loan refused.

The President having laid before the Board an application from the President of the Raleigh & Gaston Rail Road Company to borrow on the credit of the Company the sum of Fifty Thousand Dollars whereon

Resolved That the same can not in the opinion of the Board be granted no mortgage or other security for the loan being offered.

The Board then adjourned.

C. C. BATTLE, Secty.

TREASURY DEPARTMENT 2nd Octbr. 1838

Receipts for
money.

Received of C. C. Battle Secretary to the Literary Board Eight thousand four hundred & seventeen Dollars as Principal on loans made by said Board for which sum I have given two receipts of same tenor & date.

\$8417.00 D. W. COURTS, Pub. Treasurer.

TREASURY DEPARTMENT 2nd Octbr. 1838.

Received of C. C. Battle Secretary to the Literary Board Five Thousand & Sixty Seven 88-100 Dollars as Interest on loans made by said Board, for which I have given two receipts of same tenor & date.

\$5067.88 D. W. COURTS, Pub. Treas.

These are the words of the Pub. Treasurers receipts both of which I have on file with the papers of sd. Board.

C. C. BATTLE, Secty.

Int. due July	\$5027.13	Deduct \$10 fee paid W.
Back Interest	50.75	W. Miller Atty.

EXECUTIVE OFFICE N. CA.

RALEIGH October 8th 1838.

Board met Present

His Excellency Edward B. Dudley Pres. ex officio

D. W. Stone & Chas. Manly Esquires.

The Board examined & compared the several Notes of- Notes renewed.
ferred for renewal whereon the following were accepted
Nos. 2—5—6—7—10—11 $\frac{3}{8}$ 12—13—18—19—20—22
—27—30—31.

There being no other business the Board adjourned till
tomorrow 10 o'clock A. M.

C. C. BATTLE, Secty.

EXECUTIVE OFFICE No. CA.

RALEIGH October 9th 1838.

Board met Present.

His Excellency Edward B. Dudley Prest. ex officio

Notes discounted.

D. W. Stone & Chas. Manly Esquires.

The Board discounted Notes this day to the amount of
\$6030. There being no further business the Board ad-
journd to meet again tomorrow at 4 o'clock P. M.

CHRISTOPHER C. BATTLE, Secty.

EXECUTIVE OFFICE No. CA.

RALEIGH Octbr 10th 1838.

Board met present

His Excellency Edward B. Dudley Prest. ex officio

D. W. Stone & Chas. Manly Esquires

Notes to the amount of \$11,000 were offered & renewed. Notes renewed.
When there being no further business the Board adjourned
till tomorrow 4 o'clock P. M.

CHRISTOPHER C. BATTLE,

Secretary to Lit. Fund B.

EXECUTIVE OFFICE NO. CA.

RALEIGH October 11th 1838

Board met Present

His Exclty Edward B. Dudley Prest. ex officio

D. W. Stone & Chas. Manly Esquires.

Loan to the Raleigh & Gaston railroad.

A proposition was submitted from the Raleigh & Gaston Rail Road Company to borrow Fifty Thousand Dollars at Six Months under the following resolution & proceedings of the Directory of said Company (Viz)

At a meeting of the Board of Directors of the Raleigh & Gaston Railroad Company held in Raleigh on the 10th day of October 1838

Prest. George W. Mordecai Prest.

Duncan Cameron,

William Boylan

Chas. Manly &

Thos. P. Devereaux

Resolved The President be authorized & instructed to apply to the President & Directors of the Literary Fund of North Carolina for a loan of the sum of Fifty Thousand Dollars for six months upon the bond of the said Corporation under the Seal thereof accompanied with the personal covenant of the Members of the Board of Directors that the said Bond shall be paid at maturity or in the event of its non-payment that the said Raleigh & Gaston R. R. Co. shall either give personal security for the sum or execute a mortgage on the property of the Company for its security at the election of the Board.

(Copy from the Minutes)

GEORGE W. MORDECAI, Prest.

Raleigh & Gaston Rail Road Office

October 10th 1838.

Six months after date with interest from the date hereof the Raleigh & Gaston Rail Road Company promise to pay to the order of the President & Directors of the Literary

Fund of North Carolina at the office of said Board at Raleigh the sum of Fifty Thousand Dollars for value received. In witness whereof the President of said Company hath hereto affixed his hand and the seal of said corporation the day & year above.

GEORGE W. MORDECAI Pres. R. G. R. R. Co.

We the undersigned do hereby covenant and agree to & with the President & Directors of the Literary Fund above mentioned, that when the above bond shall arrive at maturity the Raleigh & Gaston Rail Road Company shall either pay the sum of Fifty Thousand Dollars with interest accruing thereon according to its tenor or in case the same shall not then be paid, that the said Company shall give satisfactory personal security for the same or execute a mortgage on the property of the Company for securing its payment at the election of the undersigned.

Raleigh Oct. 11th 1838.

GEORGE W. MORDECAI	(Seal)
DU. CAMERON	(Seal)
WM. BOYLAN,	(Seal)
T. P. DEVEREAUX	(Seal)
CHAS. MANLY	(Seal)

The Board of the Literary Fund objecting to the discretionary power reserved "at the election to the undersigned" in the above covenant the following was endorsed thereon—

It is understood and agreed by the undersigned that the mortgage alluded to in the within mentioned Covenant shall be on the whole property of the Raleigh & Gaston Rail Road Company which shall be unencumbered at the time of its execution.

Raleigh Oct. 10th 1838

GEO. W. MORDECAI
DN. CAMERON
WM. BOYLAN
T. P. DEVEREAUX
CHAS. MANLY

Whereon the Board of the Literary Fund ordered that the Loan be made upon the terms & conditions therein specified & then adjourned.

CHRISTOPHER C. BATTLE,
Secretary to sd. Board.

EXECUTIVE OFFICE NO. CA.

RALEIGH Octbr. 12th 1838.

Board met Present

His Excellency Edward B. Dudley Prest. ex officio
D. W. Stone & Chas. Manly Esquires.

otes discounted.

The Board this day discounted New Notes to the amount of seven thousand Dollars & there being no further business adjourned till tomorrow 4 oclock P. M.

CHRISTOPHER C. BATTLE, Secty.

EXECUTIVE OFFICE NO. CA.

RALEIGH Octbr. 13th 1838

Board met Present

His Exclty Edward B. Dudley, Prest. Ex officio
D. W. Stone & Chas. Manly Esquires.

No business.

There being no notes for renewal the Board adjourned till Monday the 15th 4 oclock P. M.

C. C. BATTLE, Secty.

EXECUTIVE OFFICE, NO. CA.

RALEIGH Oct. 15th 1838

Board met Present

His Exclty Edward B. Dudley Prest. ex officio
D. W. Stone & Chas. Manly Esquires.

No business.

There being no business before the Board adjourned till tomorrow 4 o'clock P. M.

C. C. BATTLE, Secty.

EXECUTIVE OFFICE, No. CA.

RALEIGH Octbr. 16th 1838.

Board met Present

His Exclty. Edward B. Dudley Prest. ex officio

D. W. Stone & Chas. Manly Esquires.

There being no business the Board adjourned.

No business.

CHRISTOPHER C. BATTLE, Secty.

EXECUTIVE OFFICE, No. CA.

RALEIGH Octbr. 18, 1838

Board met Present

His Exclty Edward B. Dudley Prest. ex officio

D. W. Stone & Chas. Manly Esquires.

Notes to the amount of \$11,800 were renewed Viz No. Notes renewed.
26 & 29 when the Board adjourned.

C. C. BATTLE, Secty.

EXECUTIVE OFFICE, No. CA.

RALEIGH October 20th 1838.

Board met Present

His Excellency Edward B. Dudley Prest. ex officio

D. W. Stone & Chas. Manly Esquires.

Notes to the amount of \$13,350 were renewed Viz. Nos. Notes renewed.
14—17—23—34—37— & 41—when there being no further business the Board adjourned.

C. C. BATTLE, Secty.

STATE OF NORTH CAROLINA.

To the Public Treasurer

\$850. Pay to C. C. Battle Eight Hundred & fifty Dol- Shaw's salary.
lars to be remitted to C. B. Shaw C. Engineer to "defray
salaries & other expenses" out of the funds set apart at
last Assembly to drain Swamp Lands of this State & this
shall be your warrant.

EDWARD B. DUDLEY,

Prest. ex officio B. Lit. Fund.

October 2-th, A. D. 1838

EXECUTIVE OFFICE, No. CA.

Oct. 29th 1838

Money sent to
Shaw.

DEAR SIR: Your favour of 27th inst. has been duly recvd. & in compliance with your request I hand you enclosed check on the Bank of Cape Fear for \$850 on act of expenses in draining swamp Lands. The branch at Washington will no doubt agreeably to their usual notion of business cash the Check.

We shall be pleased to receive from you as full a report as practicable of your operations on the Swamps at your earliest convenience for the information of the Legislature.

Clark's contract.

I have not heard but presume that Majr. Clarke took a contract for a mile of canal on Pungo, he had put in for such, accompanied, however, with a proposition for a half mile on Alligator which we did not wish to give him if he would take the first without it. We preferred closing with him on the best terms possible to make a commencement of the work on both points, as much for an experiment as anything else, until we could hear more particularly from you. If you can *conveniently* spare the time it would be well for you to make us a visit after fully examining the work & Prospects in Hyde. I will however consult the Board and perhaps put the matter in an official form.

Your Obt. Servt.

EDWARD B. DUDLEY.

C. B. SHAW, Esq., Washington.

EXECUTIVE OFFICE, No. CA.

RALEIGH Octobr. 30th 1838.

Board met Present.

His Excley Edward B. Dudley, Pres. ex officio

D. W. Stone & Chas. Manly Esquires.

Notes renewed.

Note No. 47 for \$900 was renewed & a new Note for \$4,000 No. 8 was discounted & there being no further business the Board adjourned.

C. C. BATTLE, Secretary.

EXECUTIVE OFFICE Nov. 10th 1838.

Board met Present

His Exclty Edward B. Dudley Prest. ex officio

D. W. Stone & Chas. Manly Esquires.

A letter from the Engineer Mr. Shaw giving Notice of Shaw resigns. his intention to resign his appointment made under the Board was read & laid on the Table.

Dr. Bakers Note of Eight Hundred Dollars was considered & directed to be discounted.

C. C. BATTLE, Secty.

EXECUTIVE OFFICE

RALEIGH Nov. 17 1838

Board met Present

His Exclty Edward B. Dudley Prest. ex officio

D. W. Stone & Chas. Manly Esquires.

The following notes were offered & renewed Viz. Nos. 4 Notes renewed. —21—32—38—45—48 when the Board adjourned.

C. C. BATTLE, Secretary.

EXECUTIVE OFFICE

RALEIGH Nov. 19th 1838

Board met Present

His Exclty Edw. B. Dudley, Pres. ex officio

D. W. Stone & Chas. Manly Esquires.

The Board ordered the Secretary to draw a warrant in Expenses of Board. his favor to pay expenses Members of the Board to this day.

C. C. BATTLE, Secty.

Warrant No. 219 (vide Warrant Book) for \$180.

Edward B. Dudley Pres. ex of 15 days @3 \$45

D. W. Stone Member 15 days @3 45

Chas. Manly Esq 15 days @3 45

C. C. Battle Secretary 15 days @3 45

\$180.00

EXECUTIVE OFFICE

RALEIGH NOVBR. 24th 1838.

Board met Present

Reports on swamp
lands and schools.

His Exclty Edward B. Dudley, Prest. ex officio

D. W. Stone & Chas. Manly Esquires

The Note of Judge Saunders was renewed & a new Note of Wm. M. Sneed of Granville for \$3,000 was discounted. Reports on Draining the lakes & on Common schools were submitted and considered & laid on the table when the Board adjourned.*

C. C. BATTLE, Secretary.

*See report, page 826.

Shaw's salary.

STATE OF NORTH CAROLINA

To the Public Treasurer

Pay to the order of Edwd. H. Wingate Cashier Five Hundred & seventy two 572.00 Dollars out of the money appropriated to draining the Swamp land by act last Legislature, amount due C. B. Shaw C. Engineer for two months & three quarters service & this shall be your warrant.

EDWARD B. DUDLEY,

Prest. ex officio Board Lit. Fund.

Nov. 30th A. D. 1838

ENGINEERS REPORT ON THE SWAMP LANDS.

Location of canals. *To the President & Directors of the Board of Literature of N. Ca.*

GENTLEMEN: Since the date of my last report and in accordance with resolutions to that effect, of your honorable body, canals have been located from Alligator & Pungo Lakes to the proposed points near the mouths of Rutman's & Shallops's Creeks: Some levellings & examinations of the soil have also been made upon the scites of the contemplated tributary Canals & borings to ascertain

the character & value of the soil have been made upon various portions of the tracts proposed to be drained.

In the course of these operations the fall of the country between the lakes & Pungo River was found to decline with less irregularity than was expected & the general elevation of the tract to be greater than was at first supposed, though the test levelling verified the general accuracy of that first made between the lake waters & those of the river.

The elevation of the two lakes Alligator & Pungo, may now be confidently stated to be the former 10 ft. & the latter 15 ft. above the points on Pungo River where their respective Canals will terminate. This unexpectedly high level of the tract forbade an adherence to the original plan—certainly that most desirable—of giving to each canal, a general inclination, from its origin to its mouth; to diminish cutting, the grade at bottom of each was broken, giving a greater declivity to the lower portions. Elevation of lakes.

The increased cost of the drainage will be more than compensated in the additional value of the lands after reclamation. The depth of cutting even with the most economical location upon the Alligator canal will average more than nine feet for three miles. A rapid settlement of the now spongy surface may be expected after the exhaustion of the water with which it is now saturated and a corresponding increase in the tenacity of the soil. Upon the reclaimed lands of Mr. Pettigrew on Lake Phelps this subsidence has in many instances extended 2 feet; and rich harvests of wheat & corn are now gathered on the very ground, into which, at the commencement of his enterprise, a pole could be thrust, by hand to the depth of 10 feet. Cost of drainage.

Labour and provisions have both enhanced in value in the course of the current year to the amount, certainly of 25 per cent—the former perhaps for such purposes as our uses require to a still greater extent; \$90. per ann. was Increased cost of labor and provisions.

last year an exorbitant hire for a slave in the region whence the labour was expected to be obtained; but the demand for labour upon the Wilmington & Roanoke R. Road has long since reached this region and those who would last season have let their slaves for 90 dollars expect \$120 to \$150 for the present. We are consequently disappointed in the expectation of finding contractors among the planters of the country; they will not undertake except with the prospect of inordinate profit.

My being a stranger to the State & my ignorance as to the degree of credit to be attached to the Statements of those from whom I was compelled to seek information in regard to prices, gave rise to an opinion, which I can not now confirm, that these works could be executed by the planters of the neighborhood at less than the contract prices: one instance may be mentioned as an example of the sanguine expectations which, whether from a responsive feeling in themselves or from interested motives, those making such statements evidently wished to impress. A readiness was expressed in my office & in the presence of my assistants to make the entire of the canal spoken of in my last report from Mattamuskeet Lake to Pamlico Sound for 6 cents the cubic yard, by a gentleman who is now a contractor upon the Alligator Canal at 15 cts., and very modestly proposes in the absence of proposals from other quarters, to take a further and very heavy contract at 20 cents, avowing now an unwillingness to engage in this work without expectations of large profits. The progress of this contract, though under the most unskilful management & upon the most difficult portion of the canal has demonstrated a net gain of at least 25 per cent to the contractors. The original estimate contemplated that a gang of 5 hands could excavate and deposit in the sub-bankment 900 cubic feet per day, or 180 feet per hand. The condition of the contract alluded to was that the manner of carrying on the excavation should be left to the contractors, they preferring their own methods to that con-

tained in the specifications. The true economy in works of this sort is to proportion the excavations and barrow men that neither description of labourers may be kept waiting for the other, and the work of all so disposed as to leave no fractions of labour unemployed. This desirable state of things has by no means been obtained upon the contract in question & yet upon both the tenacity & hardness of which is at least triple that of the rest of the work—170 feet per hand has been performed by the whole force employed. This is the result of an experiment upon the work of one day carefully made at my suggestion & supervised by my assistant Mr. Mumford. The value of the reclaimed land will doubtless as I shall hereafter show be great & were no other means practicable, would even justify the payment of still higher prices than have been demanded by those proposing for contracts, but I see no necessity for putting in the pockets of unskilful contractors so large a proportion of the sum expended in the work. Engineers must of necessity be in attendance to stake out the canals & the roads upon their banks to make out estimates & supervise the general execution of the plans; much of their time must be unemployed & they would only require the aid of overseers employed at low wages to construct the intended works with more expedition, skill & cheapness than can ever be done by contractors who are too independent to be trammelled by the usual specifications & who would substitute for plans, the usefulness of which has been well tried in the drainage of the Fens of England & the Irish bogs, the conceptions of their own self will & ignorance.

Ignorance of
contractors.

The novelty of this description of work in our country operates against the prospect of obtaining contractors from a distance as do also the exaggerated terrors of the paludal district of this state & the competition of other works. The time which will likewise be lost in obtaining the anticipated advantages both in the primary object of creating

Why foreign contractors do not
take work.

by the sale of these lands a fund for the promotion of education: and in the not less important one of peopling a new desert tract, is another reason for the vigorous prosecution of this work by a method which I now propose.

As the Act of Assembly under which your Honble. Board is now prosecuting this work does not in your opinion authorize any other method than that of contracting for the execution of the work, & as there seems to be a desire to speculate upon the fund in the only quarter where we could reasonably hope to find contractors; I would advise an application to the Assembly for an extension of your powers, whereby you may possess the option of constructing the work yourselves or contracting for their execution.

Actual cost of
canal work.

I have not the least hesitation to assert that the whole system of drainage described in my report of Feb. 29th can be carried into execution for 12 cents per cube yard of earth removed, notwithstanding the present high rates for labour & supplies & the probability of their continuance, & I feel unwilling to sacrifice more of the sufficiently small sum dedicated to this great work until your pleasure or (should you agree with me in the expediency of the proposed application) that of the Assembly can be known. The only mile now under contract is one of great difficulty compared with the remainder upon the same canal, yet even here with proper management, the cost to the contractors would not exceed 10 cts. per yard.

Recommends
white labor.

Slave labor, would for the mere execution of the work be preferable, but as the works would be extensive and might require more labor than could readily be procured of that description, it would be advisable as easily can be done, to procure white laborers & as a premium to diligence & good conduct, to offer a bounty of 20 acres of reclaimed land to each laborer who shall have served 2 years upon the works or during their continuance.

10,000 acres of land so appropriated would secure to

the State 500 tax-paying citizens & would be the means of making the value of these lands sooner known than any other method. Besides the 56,000 acres which it is the immediate purpose of the works to reclaim—22,000 acres of reverted land of superior quality in the neighborhood of Pungo Lake will be equally beneficial. Upon a portion of this last tract the timber is of uncommon size & value. Some evidence of the quick vegetating power of these lands may be found from the fact that a piece of land on the S. W. side of the lake which fifteen years ago was cultivated in rice is now covered with a dense forest of maples which would probably average more than a foot in diameter. The want of timber will not long be felt upon any portion of the tract after it shall have been brought into cultivation. The climate is also more salubrious than those residing in the upper country imagine; the corps of assistants employed upon the work have enjoyed uninterrupted good health notwithstanding more than a years continued & severe exposure.

Valuable timber
near Pungo.

It is scarcely worth while to enlarge upon the importance of this work as a State Improvement or its especial necessity to the people of the Swamp land districts, to the latter it may be considered the only improvement suited to their circumstances & position.

The manner in which this undertaking has heretofore been protracted calls loudly upon those having it now in charge to push it vigorously to completion & secure to the State, to the Literary Fund & the people of the low country the benefits which they can not fail severally to reap from it.

It is possible that the Legislature did not contemplate the restriction which the language of the act for the drainage of the Swamp lands seems to imply. The prosecution of the work in the most economical manner is now crippled by the limited powers of the Board. If the act be amended it should be done very early in Decbr. to allow the time

Powers of Board
should be
enlarged.

Cost of canals.

necessary to procure the requisite labor which can only be done economically before January. The probable advance in prices and the unexpected increase in the quantity of work from the greater heights of the land will nearly double the last estimate: \$140,000 may now be stated as the cost of the two canals already located. \$10,000 or \$20,000 must be expended in opening tributaries before the exact effect of the proposed plan of drainage can be demonstrated to the satisfaction of purchasers.

The Commissioners who were charged with the construction of the canal from Mattamuskeet Lake to Ysocking creek have been more successful in getting their work cheaply executed than can be hoped for in a work of greater Magnitude. I am informed that they recommend to the Legislature as I have already done to your honorable Board the construction of a 2nd canal from the Lake to East bluff bay & that they propose a canal of 20 feet bottom which they think can be constructed for \$20,000 .

Cost and advantages of a canal from Mattamuskeet to East Bay.

I disagree with that opinion in every respect except the expediency of a canal in the proposed direction. They have over rated the value of their own canal as a vent for the lake waters, not having made due allowance for the effect of the past very dry & hot season: it is well known that a heavy rain has raised the lake water 4 or 5 inches this past season & equally so that the Ysocking canal did not reduce it more than that amount the first four months after it was opened.

I leave my calculations for the drainage of Lake Mattamuskeet (contained in pages 10, 11 & 12 of my former report) to be reviewed by those competent to do so & retain all the opinions there expressed in regard to the dimensions of the canal, & would add 25 pr. ct. to the estimate for its construction, making \$50,000 the least sum for which that object could be successfully accomplished.

A canal of the dimensions recommended by the Comrs. might certainly answer the purpose of improving the Lake lands, but the object to this Board would to reclaim from

the lake itself land to be thrown into the market & which should after reclamation be as little subject as possible to inundation. 15,000 acres of land can certainly be recovered in that way from the waters and there seems to be little doubt here that they would very readily produce \$150,000 leaving to the Fund a net gain of \$100,000.

As a subject in some measure connected with the interest of the Swamp Lands, I will in conclusion allude to the report of Col. Kearny of the U. S. Topog. in which an opinion is expressed that Ocrocock inlet is in the process of closing and that the trade of Albemarle & Pamlico Sounds must eventually take the direction of Cove Sound & Beaufort or old Topsail Inlet. The inaccuracy of the soundings on Ocracock bar has been already asserted by the ship masters & pilots who are or have been engaged in the navigation through that Inlet. It occurs to me also that one of the very reasons given by Col. Kearny in favor of its being about to close is strong evidence to the contrary. He asserts most truly that most of the inlets between Cape Henry & Beaufort harbours are in steady progress towards closing, but it is very certain that the fewer the inlets shall be in number, the stronger the current will be through those that remain, as long as the immense efflux of the land waters shall continue.

Kearny's report
on closing of Ocracock Inlet.

I would refer to page 11th 3d paragraph of Extracts from Reports on Internal Improvements published for the use of the Board of Literature, wherein a quotation from Runnels work on the Geographical system of Herodotus shows the effect of alluvial formations like those of the coast of N. Ca., to be generally what Col. Kearny states as now in progress, but with an opposite conclusion from his. "As the land rose by depositions, the waters would naturally confine themselves to fewer channels, since the land in a firmer state requires greater force to divide it.

At a time when the upper part of the Delta had acquired a degree of firmness & elevation we learn from Herodotus

that three channels conveyed the water from the Nile to the neighborhood of the Sea; a quarter in which the alluvial land must ever be regarded as in an important state of formation. At present two only convey those waters to the same quarter & one of them is growing shallower." The resultant action of the effluent waters of Albemarle & Pamlico Sounds would in my opinion form an inlet at or near where Ocracock now is, were there more yet existing. Inlets have opened upon our coast as well as closed, witness the new Inlet near the mouth of Cape Fear River & the Ship Shoal Inlet on the eastern shore of Virginia & have afterwards rapidly deepened.

The variable and alternately preponderating influence of powerful Atlantic gales or great periodical flood of the land waters will produce either one or the other effect. I wish every success to the Cove Sound Improvement as one of General interest to the S. Eastern portion of the State but would deprecate the closing of Ocracock.

With sentiments of the Highest Esteem I am

Your Obt. Servt.

CHAS. B. SHAW.

STATE OF NORTH CAROLINA

To the Public Treasurer.

Pay canal contractors.

\$224 85-100 Pay to Messrs. Carter & Gibbs Two Hundred & twenty four 85-100 Dollars, estimate of their work on Alligator Canal to the 23d Novbr. & this shall be your warrant.

This the 18th day of Decbr. 1838

EDWARD B. DUDLEY,

Pres. ex of B. Lit. Fund

STATE OF NORTH CAROLINA,

To the Public Treasurer

Engineers' salary.

\$500. Pay to C. C. Battle Five Hundred Dollars out of the appropriation to drain the swamp lands of this

State, to be remitted to Wm. P. Mumford acting Engineer
& this shall be your warrant.

Decbr. 31st 1838.

EDWARD B. DUDLEY,
Pres. ex officio, Lit. Fund.

STATE OF NORTH CAROLINA,

To the Public Treasurer

\$250. Pay to C. C. Battle Two Hundred & fifty Dol- Attorney's fees.
lars to be remitted to William P. Mumford Act. Engineer
to defray Atty Toole & Rodman for drawing deed &c. out
of the Appropriation to drain Swamp Lands & this shall
be your warrant.

Raleigh Jany 11th 1839.

EDWARD B. DUDLEY,
Pres. ex officio.

EXECUTIVE OFFICE
RALEIGH Jany. 9th 1839

The Board of the Literary Fund of No. Car. Met Present.

His Exclty Edwd. B. Dudley Pres. ex officio

D. W. Stone & Chas. Manly Esquires

The Board ordered the payment of \$250 to Messrs. Renewal of notes.
Toole & Rodman for drawing deeds &c. & renewed the
following Notes—Nos. 1—7—10—11—12—13—18—19
—20—26—36—36—of the old notes & of those loaned
out in Octbr. last Nos. 1 & 7—Substituted the Note of
James Everitt for that of Boon. And made a new loan to
G. F. Davidson & E. J. Erwin of \$400. The Board then
adjourned till 10 oclock tomorrow.

C. C. BATTLE, Secty.

EXECUTIVE OFFICE
RALEIGH Jany. 10th 1839

Board met Present

His Eclty. Edward B. Dudley Prest. ex officio

D. W. Stone & Chas. Manly, Esquires.

Renewal of notes. The following notes were renewed Nos. 4, 32—41 when the Board adjourned.

C. C. BATTLE Secty.

\$2,668.63 TREASURY DEPARTMENT NO. CA.

Jan'y 12th

Receipts for money.

Recd. of C. C. Battle Sec. to the Literary Board Two Thousand Six hundred & sixty eight 63-100 Dollars as interest on loans made by said Board for which I have given two Rects of the same tenor & date.

D. W. COURTS, Pub. Treasr.

TREASURY DEPARTMENT N. CA. Jan'y 21th 1839

Recd of C. C. Battle Secty to the Board of Literature Three Thousand four Hundred & fifty Dollars as principal on loans made by said Board, for which I have given two rectp of the same tenor & date.

\$3,450.

D. W. COURTS, P. Treasurer.

These are the words of the Public Treasurer's receipt file on this day—Jan. 12th 1839.

C. C. BATTLE,
Secretary to the Board.

EXECUTIVE OFFICE

RALEIGH January 16th 1839.

Board met Present

His Excl'y. Edwd. B. Dudley Prest ex officio

D. W. Stone & Chas. Manly Esquires,

Renewal of notes.

The following notes were received, examined & renewed. Nos. 5—6—24—33—25—34—43—& of the Loans made in Octbr. last Nos. 3 & 6 & the Board then adjourned.

C. C. BATTLE, Secretary.

EXECUTIVE OFFICE

RALEIGH January 24th 1839

Board Met Present

His Excl'y. Edwd. B. Dudley Prest ex officio

D. W. Stone & Chas. Manly & William A. Blount,
Esqrs.

The Board was engaged for some time in the examination of papers submitted for their consideration & adjourned till tomorrow 25th Jany at 10 oclock. Papers examined.

C. C. BATTLE, Secretary.

STATE OF NORTH CAROLINA,

To the Public Treasurer

\$1,000. Pay to Wm. P. Mumford one Thousand Dollars from the fund set apart to drain the Swamp Lands to meet the expenses of the Corps of Engineers to 1st July & this shall be your warrant. Engineer's salary.

EDWARD B. DUDLEY,

Prest ex officio.

RALEIGH January 24th A. D. 1839

EXECUTIVE OFFICE

RALEIGH January 25th 1839.

Board Met Present

His Exclty Edwd. B. Dudley Prest ex officio

D. W. Stone Charles Manly & Wm. A. Blount Esquires.

Some conditional propositions for cutting a canal &c. in Hyde Cty by Mjr. Jno Clark & others were submitted by Genl. Blount, which the Board declined accepting on acct of their indefiniteness & variation in doing the work in the manner prescribed by the Engineer heretofore in the service of the Board. It was agreed to continue Mr. Myers on the Pungo Lake & Mr. Mumford on the Alligator Lake as Superintending Engineers with One assistant to each, such as they may select to superintend the works now in progress & to run out other lands & to ascertain the titles of the State to lands in that section of Country, & generally to do and attend to any business that the Board may require—for which services they are allowed a Salary of One thousand Dollars each per year to be paid quarterly—& that they allow such compensation

Bids for work rejected; pay of Assistant Engineers and their duties.

to their assistants as they may deem fair & reasonable & that they also employ such laborers & aid as they may find necessary in the prosecution of their surveys.

There being no Notes the Board adjourned to meet again tomorrow at 10 o'clock A. M.

C. C. BATTLE, Secretary.

RALEIGH Jany 26th 1839.

Board met Present

His Excley. Edward B. Dudley Prest. ex officio

D. W. Stone Charles Manly & Will A. Blount Esqrs.

Gwynn asked to be
Chief Engineer.

The Board agreed to employ some experienced Engineer to give a general superintendence & directions to Messrs. Mumford & Myers & that the President of the Board be requested to ascertain from Majr. Gwinn the Principal Engineer on the Wilmington & Raleigh Rail Road Company whether he will act in that capacity & if so on what terms, & in case Majr. Gwinn declines, that he ascertain what Experienced Engineer can be obtained & on what terms.

The note of Miss E. E. Haywood & others was discounted for \$1200. And the following renewed Nos. 4—17—27—30—31—49—& 50 & the Board adjourned.

C. C. BATTLE, Secretary.

EXECUTIVE OFFICE

No. CA. Jany. 28th 1839.

Board met Present

His Excly Edwd. B. Dudley Prest. ex officio

D. W. Stone C. Manly & Gen. Will A. Blount

Resolution about
loans and renewal
of notes.

When it was resolved that hereafter an Instalment of ten per cent on the principal of the debt now due be required of the debtors to this Board at each renewal of every three months, so as to pay off & fully discharge the entire debt in two & a half years, & that the Secretary of this Board inform the debtors by circular of this resolution &

that their notes will not be renewed if the instalment be not paid. When the Board adjourned.

C. C. BATTLE

Secretary.

Warrant No. 243 was drawn in my favor to defray expenses of the Board to the 28th Jany. inclusive—Viz.

			Expenses of the Board.
Edward B. Dudley Prest ex officio	8 days @ \$3	\$24.00	
D. W. Stone	8 days @ 3	24.	
Charles Manly	8 days @ 3	24.	
Genl. W. A. Blount	14 days @ 3	56.	
& expenses to and from Washington			
his residence		20.12½	
C. C. Battle Secretary	8 days @ \$3	24.	
Total		\$172.12½	

EXECUTIVE OFFICE

Feby. 20th, 1839.

The President & Directors of the Literary Fund met this evening pursuant to the call of the President present—Gov. Dudley Prest. of the Board, Chas. Manly & David W. Stone.

The estimates of the amount of work done by Carter & Gibbs, made by Mr. Mumford, amounting to \$143.85 & \$341.40 in all \$485.25, were submitted and thereupon it was ordered by the Board that \$362.93 be paid them, retaining 25 per cent of the amount as per contract.

Several notes were renewed and the Board adjourned subject to the call of the President.

STATE OF NORTH CAROLINA.

To the Public Treasurer.

Sir

Pay to Messrs. Carter & Gibbs or order three hundred & sixty three 93-100 Dollars, being $\frac{3}{4}$ of the estimated work on Alligator Canal up to the 12th instant out of any money set apart for draining the swamp lands and this shall be your warrant for the same.

This the 21st day of Feby 1839.

\$363.93-100

E. B. DUDLEY,
Prest. ex officio.

EXECUTIVE OFFICE

RALEIGH Feby 21, 1839.

Sir:

Reply to con-
tractor.

Your offer for a contract on the Western Canal in Hyde has just been received. We expect to send an Engineer in a few days with full powers to treat on all subjects relative to our operations there—And in the expectation that he will make some alterations in the dimensions & manner of cutting the Canals, more favorable to contractors, & which we suppose will induce lower bids than have heretofore been made for this Canal, we deem it proper at present to refer you to him.

With respect

Your Obt. Servt.

EDWARD B. DUDLEY

Mr. William Lambert,

Washington,

Beaufort.

EXECUTIVE OFFICE

Feb. 21st 1839.

Dear Sir:

Letter to engineer
about contract for
canal work.

Your Packets of accounts addressed to Mr. Battle Secretary of the L. B. (who is absent at this time) has been

duly received at this Office & will be examined & entered in due time. Mr. Mumford was furnished with money to meet the disbursements of your Corps and I suppose has been received in discharge of the balance \$361.75-100, which you state to be due you 1st. January last. The Board do not desire that you should ever make advances: when you want money advise me and it shall be furnished for the service.

A Mr. W. Lambert has made an offer for one mile of your Canal at 20 cents per cubic yard. I should prefer these offers to come through you & to have your comments thereon. Say to Mr. Lambert that in all probability we shall have a principal Engineer on the spot in a few days who will give you full instructions on all subjects incidental to the service—who will be ready to decide on all offers for contracts & in the meantime I should wish you to get all you can. The Board is very anxious to make a commencement on both Canals & to push their completion with all possible speed.

I am very respectfully,

Yr. obt. Servt.

EDWARD B. DUDLEY.

Mr. R. L. Myers,
Washington Beaufort Co.

EXECUTIVE OFFICE NO. CA.

RALEIGH March 15 1839.

Board Met Present

His Exclty Edward B. Dudley Prest ex officio

Chas. Manly & D. W. Stone Esqr Directors

On motion it was Resolved

That the Board will take the Bonds of the Raleigh & Gaston Rail Road Company for Fifty Thousand Dollars in payment for the Bond of said Raleigh & Gaston Rail Road Company to this Board for that amount; And it was also agreed to take as much more of said Bonds paya-

Bonds of Raleigh & Gaston railroad bought.

ble in the Notes held by this Board as the amount of said notes if the Raleigh & Gaston Rail Road Company will agree to take payment in that way & the President of the Board is requested to confer with the President of said Company on the subject.

The following notes were renewed and the Board adjourned till tomorrow evening at 6 oclock Nos. 45—48—54—56—62.

C. C. BATTLE, Secty.

EXECUTIVE OFFICE NO. CA.

RALEIGH March 16th 1839

Board met Present

His Exclty Edwd. B. Dudley Prest ex officio

D. W. Stone & Charles Manly Esquires

Major Gwynn
engineer.

The President was requested to secure the services of Major Walter Gwynn Engineer & desire him to visit the canals now making in Hyde Cty to examine the operations thereon & make report to the Board Compensation for which service was to be agreed on by the President & Majr. Gwynn & if convenient for him to do so the President was requested to accompany Majr. Gwynn in this proposed visit to the Canals now in a course of construction.

No further business & the Board adjourned.

C. C. BATTLE, Secretary.

EXECUTIVE OFFICE NO. CA.

RALEIGH April 2nd 1839

Board met Present

His Exclty Edwd. B. Dudley Prest ex officio

D. W. Stone & Charles Manly Esquires—

Notes renewed.

The following Notes were renewed under the Resolutions of 28 January calling in 19 per cent Nos. 4—7—18—19—20—36—39—& 47— There being no further business the Board adjourned till 5 oclock tomorrow.

C. C. BATTLE Secretary

EXECUTIVE OFFICE No. CA.

RALEIGH April 3rd 1839

Board met Present

His Exclty. Edwd. B. Dudley Prest ex officio

D. W. Stone & Charles Manly Esquires.

The following Notes were renewed & then the Board Notes renewed.
adjourned till 5 oclock tomorrow Nos. 5—6 & 37.

C. C. BATTLE Secty.

Extract of a letter from Majr. Gwynn.

Dated WILMINGTON No. CA.

2nd April 1839.

Dear Sir—

— — — — But neither the winds nor the rains Seeks contractors at North; salary of engineer and cost of canals.
have had the effect to abate the zeal with which you inspire
me relative to draining the Hyde Swamps I have furnished four of our contractors in whom I have confidence with the necessary credentials with which they will repair to the work to examine the sites and character of the excavations &c of *the proposed canals*. I shall also solicit bids from several at the north & feel confident that some of them will take the work at a fair price; Fifteen cts per cubic yard which will make the cost of each about Fifty Thousand Dollars.

Feeling very sanguine of success from my own observations & from the young Gentlemen engaged in the surveys, I have no hesitation in taking charge of the work. As to the Salary I suppose Fifteen Hundred Dollars would not be considered too much. — —

Very truly & sincerely

yours—

WALTER GWYNN.

Govr. Dudley.

EXECUTIVE OFFICE No. CA.

RALEIGH April 5th 1839

The Board met present

His Exclty Edwd. B. Dudley Prest ex officio

D. W. Stone and Charles Manly Esquires Directors

When it was resolved

Chief Engineer
and his duties.

That Majr. Walter Gwynn be appointed Principal Engineer to superintend the draining of the Swamp Lands of this State with a salary of Fifteen Hundred Dollars per annum

Resolved

That he be directed immediately to enter on the duties of the same & in order to prosecute them with all possible dispatch that he be authorized to make contracts for draining at such prices as he may deem reasonable.

The Board then adjourned till 5 o'clock tomorrow P. M.

C. C. BATTLE Secty.

EXECUTIVE OFFICE No. CA.

RALEIGH April 5th 1839

Dr Sir:

Engineer formally
notified.

I have the honor to hand you, herewith resolutions of the Board of the Literary Fund of No. Ca. appointing you the Principal Engineer to superintend the draining the Swamp Lands of this State under an act of the Gen. Assembly directing such contracts as may be deemed necessary to prosecute the work with dispatch.

You are apprized that a large tract of land has been selected in Hyde County for the commencement of the work where, under your predecessor, Surveys have been made for two canals leading from the lakes of Pungo and Alligator into the water courses of Pungo River. At this point of course your operations will commence.

Instructions and
information for
guidance of
engineers.

You are also apprized that \$200,000 have been appropriated to meet the expenditures in the first instance, to be sustained by the sales of the lands as they may be re-

claimed. It is therefore desirable to procure in the accomplishment of the work in such way as not to exhaust this appropriation before a sufficient quantity of the lands can be prepared for market to support & continue the operations until, at least the expediency of the work is fairly tested.

The State owns large tracts of Swamp lands in Hyde and other counties to which the reclamation will doubtless be extended if it should be found expedient.

The young gentlemen engaged in the Swamp will be informed of your appointment and directed to act accordingly.

The Board will be pleased to learn when necessary the progress of your operations. I am very respectfully,

Your Obt. Servt

EDWD B. DUDLEY

Prest ex officio

Majr. WALTER GWYNN, Philadelphia.

EXECUTIVE OFFICE No Ca

RALEIGH April 6th 1839

Board met present

His Exclty Edwd B. Dudley Prest ex officio

D. W. Stone & Charles Manly Esqrs Directors

The following Notes were renewed & the Board adjourned. Notes renewed.
Nos. 11 & 32.

C. C. BATTLE, Secretary.

EXECUTIVE OFFICE NO. CA.

RALEIGH April 9th 1839

Board met Present

His Exclty Edwd. B. Dudley Prest ex officio

D. W. Stone & Charles Manly Esquires Directors.

The following Notes were renewed & then the Board adjourned till 5 o'clock P. M. Tomorrow. Notes renewed.

Nos. 27—30—31 and 33—

CHRISTOPHER C. BATTLE Secty.

EXECUTIVE OFFICE No. CA.

RALEIGH April 10th 1839

Board met Present

His Exclty Edwd. B. Dudley Prest ex officio

D. W. Stone & Charles Manly Esquires.

Notes renewed.

The following notes were renewed & the Board adjourned till 5 o'clock P. M. tomorrow—Nos. 35—61 & 64.

C. C. BATTLE Secty.

EXECUTIVE OFFICE No. CA.

April 11th 1839

Board Met Present

His Exclty Edwd. B. Dudley Prest ex officio

D. W. Stone & Charles Manly Esqrs Directors

Notes renewed.

Nos. 34 & 49 of the Notes Loaned were renewed & the Board adjourned untill 5 P. M: Tomorrow

C. C. BATTLE Secty.

EXECUTIVE OFFICE No. CA.

April 12th 1839

Board met present

His Exclty Edward B. Dudley Prest ex officio

D. W. Stone & Charles Manly Esquires Directors.

Notes renewed.

The following Notes were renewed & the Board adjourned till 5 P. M. Tomorrow. No. 10.

C. C. BATTLE Secty.

STATE OF NORTH CAROLINA

To the Public Treasurer.

Expenses of
engineer's work.

\$800 Pay to C. C. Battle Eight Hundred Dollars being amount paid by Edward B. Dudley Prest ex officio—to R. L. Myers to defray expenses of the draining Swamp Lands in Hyde as per Mr. Myers Recpt of 29th March 1839 on file in the office of this Board & this shall be your warrant

This the 13th April, A. D. 1839

EDWD. B. DUDLEY

Prest ex officio Board Lit. Fund.

STATE OF NORTH CAROLINA

To the Public Treasurer

\$69 35-100 Pay to C. C. Battle Sixty nine 35-100 Expenses of visit to swamp lands.
Dollars to defray expenses of the Prest ex officio & Majr. W. Gwynn on a visit of examination to drain the Swamp Lands in Hyde & to pay for *Farmers Register* &c & this shall be your warrant

April 13th A. D. 1839

EDWD. B. DUDLEY

Prest ex officio Board Lit. Fund.

EXECUTIVE OFFICE No Ca

RALEIGH April 13th 1839

On this day I deposited with D. W. Courts P. Treasurer Receipt for money.
Five Thousand Three Hundred & Sixty eight 82-100 Dollars—of money received in Jany. Feby & March as Principal & interest of Loans by the Board of Literary fund of this state as follows —

of Principal returned	\$3166.05
of Interest on loans	\$2202.77

Total	\$5368.82
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The receipt of the P. Treasurer of this date filed with the papers of this Board—

C. C. BATTLE Secty.

EXECUTIVE OFFICE No Ca

RALEIGH April 16th 1839

Board Met Present

His Exclty Edwd. B. Dudley Prest ex officio

D. W. Stone & Charles Manly Esqrs Directors

The Board renewed the following Note & then adjourned Renewal of notes.
No. 12.

C. C. BATTLE Secty

EXECUTIVE OFFICE No CA

April 17th 1839

Board Met Present

His Exclty Edward B. Stone Prest ex officio

D. W. Stone & Charles Manly Esqrs

Documents to be
printed.

Resolved that fifty extra copies of the documents ordered to be published by last General Assembly be published for the use of this Board & the Board adjourned.

C. C. BATTLE Secty.

EXECUTIVE OFFICE No CA

April 18th 1839

Board Met Present

His Exclty Edwd. B. Dudley Prest ex officio

D. W. Stone & Charles Manly Esqrs.

Notes renewed.

Several Notes were renewed & there being no further business the Board adjourned

C. C. BATTLE Secty.

EXECUTIVE OFFICE No CA

19th April 1839

Board met Present

His Exclty Edwd. B. Dudley Prest ex officio

D. W. Stone & Charles Manly Esqrs.

No business.

There being no business the Board adjourned.

C. C. BATTLE Secty.

EXECUTIVE OFFICE No. CA.

RALEIGH April 20th 1839

Board Met Present

His Exclty Edwd. B. Dudley Prest ex officio

D. W. Stone & Charles Manly Esquires.

Majr. Gwynn's attention having been cited to a resolution of the General Assembly respecting the draining of Mattamuskeet Lake & it being desirable to ascertain the

precise amount of interest held by the State in lands adjacent thereto it was therefore Resolved—

That the Attorney General J. R. J. Daniel & W. H. Haywood, Jr. Esqur be requested to give early attention to the State's interest in said Lands & report to this Board as early as convenient. When the Board adjourned.

Board employs counsel to ascertain their interest in certain lands.

C. C. BATTLE, Secretary.

EXECUTIVE OFFICE No Ca

RALEIGH May 3d 1839

Board met Present

His Exclty Edwd. B. Dudley Prest ex officio

D. W. Stone & Charles Manly Esqrs

Mr. Myers Asst. Engineer submitted several plans for draining Swamp Lands in Hyde with alterations proposed by Majr. Gwynn which were approved.

Plans for draining Hyde lands

There being no further business the Board adjourned

C. C. BATTLE Secretary.

STATE OF NORTH CAROLINA,

To the Public Treasurer

\$750 Pay to R. L. Myers Seven Hundred & fifty Dollars, expenses of draining Swamp Lands in this state & this shall be your warrant.

Expenses of Engineer.

EDWD. B. DUDLEY,

Prest ex officio Board Lit Fund No. Ca.

EXECUTIVE OFFICE No Ca May 3rd 1839

Warrant No. 367 vide warrant Book drawn in my favour to defray expenses up to this time as follows

Edward B. Dudley Prest ex off	17 days @3 \$	51
D. W. Stone Member	do do	51
C. Manly Member	do do	51
C. C. Battle Secty	do do	51

Expenses of the Board.

Total

\$204

C. C. BATTLE Secty.

PROCEEDINGS OF LITERARY BOARD.

EXECUTIVE OFFICE NO. CA.

RALEIGH May 3rd 1839

Board Met Present

His Exclty Edwd B. Dudley Prest ex officio

D. W. Stone & Charles Manly Esquires.

Ordered that \$750 be advanced to Mr. Myers to defray expenses of Survey Swamp Lands—

Survey of Nags
Head.

On information that Majr. Gwynn was in the employ of the Board I. I. to survey Nag's Head ordered that he be authorized to take Messrs. Mumford & Myers—should he deem it advisable & it be convenient for them to be absent from Swamp Lands—

Board then adjourned—

C. C. BATTLE Secty.

EXECUTIVE OFFICE NO. CA.

May 4th 1839

Board met Present

His Exclty Edwd. B. Dudley Prest ex officio

D. W. Stone & Charles Manly Esquires

Notes renewed.

The following notes were renewed—Nos. 13—41—44—48—& 62. Board adjourned.

C. C. BATTLE Secretary.

Receipt for money. RALEIGH May 15th 1839 Then Deposited with C. I. Hinton P. T. \$11770.01-100 Principal & interest on moneys loaned by this Board as follows—of

Principal	\$9,215.00
Interest	\$2,565.01

Total\$11,770.01

as per his recpts filed with the papers of this Board—of this date.

C. C. BATTLE Secty.

ROCKY MOUNT May 11th 1839

His Exclty E. B. Dudley Prest Board Lit Fund of No Ca.

SIR: I have the pleasure to inform you that I have Pungo canal contract let. contracted for the excavation of the Pungo Canal at fifteen cents per cubic yard to be completed in 12 months from this time. I could let the Alligator Canal now at very nearly the prices I have set upon the work—but by waiting a few days I shall be enabled to do so.

I should be pleased to have the advice of the Board in Assessment of lands benefited by canals. relation to the step which they think it necessary to be taken relative to the assessment of the lands benefitted by the proposed system of draining—lying contiguous to—but through which the works do not pass. If the Law embraces these lands the course to be pursued (I presume) be the same as relative to lands directly benefitted, & I would submit to the Board whether it would not be advisable to appoint commissioners, who by viewing the state of the lands now & then after our system of draining has been completed would be better enabled to judge of the benefits.

But if as it is thought by some, the law is not clear in its operation relative to the lands indirectly benefitted, I would advise that Mr. Myers be authorized to proceed immediately to propose to the proprietors some terms of assessment such as the Board may think equitable. If postponed until the work has been begun there will be less probability of adjustment. Indeed all this could have been better arranged in the very incipency of the undertaking when the cutting of the canals might have been contingent upon the acceptance of a fair rate of assessment. When the map which is now in progress has been completed it will be seen at a glance that extensive seats of land around the lakes and adjoining those through which the canals pass will be greatly benefitted. Some will be very effectually drained, the press of water over others would be checked & they will render secure from inundation & other again by a trifling expense can be laid dry. I am respectfully,

Your Ob Serv.

WALTER GWYNN Engineer

EXECUTIVE OFFICE May 15th 1839

DEAR SIR: Your favor 11th inst. has been duly recvd. I am highly gratified to learn you have placed the cutting the Pungo Canal under contract & also have a prospect of disposing of Alligator.

Your inquiry relative to the necessary mode of assessment of the lands which will be benefitted by our operations, shall be brought before the Board at our first meeting. The members are now absent and will not be back in 6 or 8 days.

Instructed to ascertain steps taken by Shaw to assess land.

Mr. Shaw was instructed on this head & I believe established a Board of Commissioners to whom to submit the assessments, if so, perhaps that Board had better be continued under such modifications & instructions as may be deemed proper to make & give. Would it not be well to inquire of Mr. Myers, if you have not already done so in what state Mr. Shaw left this matter? The Literary Board placed the whole concern under Mr. Shaws management, so they will no doubt do with you, indeed it is now so as his Successor till altered. We will of course afford all assistance in our power & more if necessary, that is, pass any order which may appear necessary. I expect however you will be enabled to arrange the matter without much trouble & as well as we could do if not better. I am with great respect Your Obt Sevt

EDWARD B. DUDLEY

Majr. W. Gwynn C. Engineer Swamp Lands

Wilmington

WILMINGTON, No CA

24th May 1839

His Exclty E. B. Dudley Prest B. Lit Fund

Inquiry about lands indirectly benefitted.

DR. SIR: Your favor of the 15th inst. was received a few days since.

I beg leave to say that the inquiries to which you allude

in my letter of the 11th inst relate entirely to the Lands benefitted by the canals but through which they do not pass For the assessment of lands more immediately & directly benefitted, (tho through which the canals do pass) Commissioners have been appointed & Mr. Myers has received my instructions as to the necessary proceedings relative thereto. Yours with great respect

WALTER GWYNN Eng Swamp Lands.

EXECUTIVE OFFICE No CA

RALEIGH May 31st 1839

Board met Present

His Exclty E. B. Dudley Prest ex officio

D. W. Stone & Chas. Manly Esqrs. Directors

When it was ordered That the President be and he is here by authorized to subscribe on the books of the Cape Fear Bank for such amount of stock as will make the investment made by this Board in the stock of said Bank equal to \$50,000.

Cape Fear bank
stock bought.

The letter of Majr. Gwynn Engineer &c in relation to the subject of assessments was read & for instructions on this point the Engineer is referred to those heretofore given his predecessor Mr. Shaw.

It is the opinion of the Board that all lands reclaimed by the operations of the canals should be assessed, whether they be contiguous to the canals or not: that the Engineer be authorized & directed to agree if possible with the owners of such lands as to the sums respectively to be paid by them & if no such agreement or compromise can be effected then to have the assessments made as contemplated by the act of Assembly on this subject by the Board of Commissioners heretofore appointed & the Engineer is hereby constituted the agent of this Board to execute & carry out the provisions of the statutes upon this subject.

All lands benefitted
to be assessed.

In regard o the renewal of Bonds the Board decides that the note of Messrs. Carr & King & McRoles must have ad-

ditional security or they cannot be renewed & that the Secretary notify them of this decree.

The following notes were then renewed & No.
Board adjourned.

C. C. BATTLE, Secretary.

EXECUTIVE OFFICE No. CA.

June 3rd 1839

Board Met Present

His Exclty Edwd. B. Dudley, Prest. ex officio

D. W. Stone & Charles Manly Esqrs. Directors.

The President submitted whether the Board had not better invest the residue of its funds as required by act of Legislature, in Bank Stock. The Board deciding in the negative it was

Funds to be invested in railroad and bank stock.

Resolved That the President be directed to invest the balance of the surplus funds belonging to the Board equally in the Bonds of the Raleigh & Gaston Rail Road Company secured by the State & in the Wilmington & Raleigh Rail Road Company secured by the Stockholders so as to make them personally responsible, after making the subscription to the Cape Fear Bank Stock as authorized by an order of this Board on the 31st May Ult.

The Board adjourned.

C. C. BATTLE, Secretary.

THE STATE OF NORTH CAROLINA.

To the Public Treasurer.

Payment on bank stock.

SIR Please pay to John Hill Esqr Cashier of the Bank of Cape Fear Five Thousand Eight Hundred & Sixty dollars being the first instalment on two hundred & ninety three shares of stock subscribed today in said Bank in the name of & for the President and Directors of the Literary Fund of North Carolina by order of said Board & Agreeably to Law directing investment of the surplus income in

stock of the Banks of the State &c & charge the same against sd. funds & this shall be your voucher.

Given under my hand at the town of Wilmington No. Ca. this the 24th June A. D. 1839

EDWD. B. DUDLEY

Prest ex officio Board Lity. Fund

By order of the Board

C. C. BATTLE Secretary.

(Cancelled See Warrant 22nd August 1839)

STATE OF NORTH CAROLINA

To the Public Treasurer

SIR Pay to Geo W. Mordecai Esqr Fifty Thousand Dollars for the like amount of bonds of the Raleigh & Gaston Rail Road Company purchased agreeably to order of the President & Directors of the Literary Fund of North Carolina & this shall be your warrant. \$50,000.

Payment for rail-road bonds.

This the 1st day July 1839

EDWARD B. DUDLEY

Prest Board Lit Fund.

TREASURY OFFICE July 5th 1839

\$25,000. Received of the President & Directors of the Literary Fund of No Ca Twenty five thousand dollars, twenty thousand of which is the principal of note against T. Cowan & others & Five Thousand against Thos. Cobb & others for which I have given two receipts of the same tenor & date.

Receipt for money.

C. L. HINTON Pub Treasr.

TREASURY OFFICE July 5th 1839

\$866.66-100 Received of the President & Directors of the Literary Fund of North Carolina Eight hundred & sixty six 66-100 Dollars being the interest on the Bonds of the Raleigh & Gaston Rail Road Company held by the Board for fifty thousand dollars from the 16th of March to

Interest on rail-road bonds.

the 1st instant for which I have given two receipts of the same tenor & date:

C. L. HINTON Pub Treasr.

EXECUTIVE OFFICE July 3rd, 1839

Board met Present.

His Exclty Edwd. B. Dudley Prest ex officio

D. W. Stone & C. Manly Esquires

Loan to Wilmington & Raleigh Railroad authorized.

When it was decided by the Board on the application of Genl. James Owen the Prest of the Wilmington & Ral. R. R. Company that a loan of \$. would be made to said Company on their Bonds secured by an indemnity of their individual stockholders—a copy of which indemnity is to be filed in this office the original being in the office of sd. Rail Road Company in Wilmington for the indemnity of the directors which they are desirous of retaining.

The Board adjourned.

C. C. BATTLE Secty.

EXECUTIVE OFFICE July 4th 1839

Board met Prest.

His Exclty E. B. Dudley Prest ex officio

D. W. Stone & C. Manly Esqrs.

Notes renewed

The following notes were renewed—Nos. 7—18—19—20—30 & 32.

The Board adjourned

C. C. BATTLE Secty.

EXECUTIVE OFFICE July 5th 1879

Board met Prest

His Exclty E. B. Dudley Prest ex officio

D. W. Stone & C. Manly Esqrs.

Notes renewed.

The following notes were renewed. Nos. 21—34—37.

The Board adjourned

C. C. BATTLE Secretary.

EXECUTIVE OFFICE July 6th 1839

Board met Prest

His Exclty E. B. Dudley Prest ex officio

D. W. Stone & C. Manly

No business & Board adjourned

No business.

C. C. BATTLE Secty.

EXECUTIVE OFFICE July 8th 1839

Board met Prest

His Exclty E. B. Dudley Prest ex officio

D. W. Stone & Chas. Manly Esqrs.

The following notes were renewed & Board adjourned. Notes renewed.

No. 5—6 & 12

C. C. BATTLE Secty.

EXECUTIVE OFFICE July 9th 1839

Board met Present

His Exclty E. B. Dudley Pres. ex officio

D. W. Stone & Chas. Manly Esquires

The following notes were renewed Nos. 4 & 49.

Notes renewed.

The Board adjourned

C. C. BATTLE Secretary.

EXECUTIVE OFFICE July 24th 1839

Board Met Present

His Exclty Edwd. B. Dudley Prest ex officio

D. W. Stone & Charles Manly Esquires

The following Notes were renewed Nos. 10—11—22— Notes renewed.

27. The Board adjourned.

C. C. BATTLE Secretary.

July 6th 1839 Remitted to Asst. Engineers

R. L. Myers check \$ 800

Engineers' pay.

W. P. Mumford check 800

Total \$1600

to defray expenses of draining Swamp Lands Refer Warrant Book No. 282.

C. C. BATTLE Secretary.

EXECUTIVE OFFICE July 29th 1839

Board Met Present

His Exclty Edwd. B. Dudley Prest ex officio

D. W. Stone & Charles Manly Esquires

Notes renewed.

The following notes were renewed & the Board adjourned. Nos. 33, 50—61 & 62

C. C. BATTLE Secretary.

EXECUTIVE OFFICE July 30th 1839

Board Met Present

His Exclty Edwd. B. Dudley, Prest. ex officio

D. W. Stone & Charles Manly, Esquires

Alligator canal
contract let.

A letter of 13th inst. was recd. from Mr. Myers desiring to be informed where he & Mr. Mumford should next direct their attention during the summer & fall as their whole time would not be required on the Canal & also a letter from Mr. Mumford of 1st inst stating that 17 cts per cubic yard was the lowest bid that had been made for the Canal leading from Alligator Lake. when it was Resolved That He be instructed to close with the bid of 17 cents And it was also agreed that Messrs. Myers & Mumford be instructed to complete the Map heretofore directed to be made of the Lands in Hyde & that then they turn their attention to the lands belonging to the State in the Counties of Carteret & Craven, ascertaining their location & quality & the practicability of draining & obtain all necessary information as to the benefit that would be derived by the lands of individuals by any canals that may be proposed to be cut.

Map to be made;
other lands surveyed.

The Board adjournes.

C. C. BATTLE Secretary.

EXECUTIVE OFFICE July 31st 1839

Board met present

His Exclty Edwd. B. Dudley Prest ex officio

D. W. Stone & Charles Manly Esquires

When there being no business the Board adjourned

No business.

C. C. BATTLE Secretary.

LEECHVILLE BEAUFORT CTY No Ca

July 1st 1839

Abstract of expenses of party engaged in the drainage of the swamp lands in Hyde County under the charge of William P. Mumford during the months of April may—June 1839

Nature of Expenses	Amount	No. of Vouchers
Pay Roll of Officers	\$463.00	No. 1
Pay Roll of Hands	36.00	No. 2
Provisions of Do.	23.85	No. 3
Trip to Wilm. R. R.	37.75	No. 4
Expenses of Hands	13.00	No. 5
Hire of Horse	4.00	No. 6
Trip to Mattamuskeet	4.25	
Tools for Hands	2.00	No. 7
Hire of Horses &c	1.00	No. 8

Total	\$584.85
April 1st Balance on hand	\$478.00
	\$106.85

due W. P. Mumford by Lit Board

DEAR SIR: I herewith transmit the receipt not rendered on last settlement, it is contained in voucher No. 2

The expenses of the Corps have exceeded by \$106.85 the funds of the Board in my hands. You will please transmit by return of mail the above amount and the necessary funds for the coming quarter.

We have received proposals for the Alligator canal from several persons. That of Mr. Robinson, viz 17 cts per cube yd is the most favourable one yet heard from.

I have not yet heard Major Gwynn's determination.

Yours respectfully
To C. C. BATTLE

WM. P. MUMFORD.

EXECUTIVE OFFICE July 31st 1839

Contract to be let
if bid is 17 cents
per cubic yard.

DEAR SIR The return of Mr. Manly from Tennessee has enabled me to convene the Literary Board and to which to submit your favour of the 1st instant relative to the bids for the Alligator Canal and now to give the result.

In the event of no decision having been made by Major Gwynn before leaving for Europe on the bids for this canal, the Bd has decided for you to accept the best bid if as low as 17 cts pr cube yd and to put the work under contract without delay under such restrictions and regulations as were observed by Major Gwynn in the contract for the Pungo Canal. Report your proceedings at your earliest convenience.

In my last conversation with Mr. Carter he appeared willing and desirous to complete his contract, as he is engaged at less than we shall probably get the balance taken at, it would be best to let him do so, if he will conform to the reduced size as directed by Major Gwynn.

I am very respectfully Yrs

EDWD. B. DUDLEY.

To WM. P. MUNFORD, ESQR.

LEECHVILLE BEAUFORT N. C.

July 13th 1839

Nags Head survey
delayed.

DEAR SIR The unexpected departure of Major Gwynn for England has left me somewhat at a loss about the course proper for me to pursue during the summer and fall when my services are not required on the canal. Both you and Major Gwynn expressed a wish that Mr. Mumford and

myself should examine state lands in several counties as soon as the survey of Nags Head was completed as that survey was postponed we shall have leisure to devote to those examinations much sooner than we expected and I should like to have your views about the best mode of employing it.

The largest tracts owned by the State are in the counties ^{Where State owns lands.} of Columbus (the Waccamaw district) Jones and Craven Robinson Onslow and Cartaret. Some of these tracts have already been examined and reported upon I think by Mr. Fulton, and I suppose will now require only an examination of the soil. Please say which lands we shall examine and if you have them in your office, you will much oblige me by sending me the reports which have been made on the subject by different Engineers.

Very respectfully yr. Obt. Svt

R. L. MYERS Ast Engr.

To his Excellency

EDWARD B. DUDLEY

Pres. Board Lit Fund of N. C.

EXECUTIVE OFFICE July 31st 1839

DEAR SIR Your favour of the 13th instant has been submitted to the Board, relative to the time which can be spared from your attendance on the Pungo Canal, it has been agreed to direct the attention of Mr. Munford & yourself to the lands of the State in the counties of Carteret and Craven as the next in importance to those in Hyde and Tyrrell and most convenient to your present engagements. ^{Lands in Carteret and Craven to be examined.}

It is desired, however, that you first complete the map of the latter Counties with all such locations of individual and State lands as can be ascertained the better to show our lands and operations and furnish a copy to this office.

What has the contractors for the Pungo Canal yet done either in preparation or work? As soon as Major Gwynn returns and can give the necessary time to the survey of ^{Why Gwynn went to Europe.}

Nags Head it will be done. He intends while in Europe, examining all such works in that country particularly in Holland as regards improving Inlets, Rivers, and draining swamps, all which I consider very important and valuable to our prospects. I am with great respect & esteem

EDWD B. DUDLEY

yrs

R. L. MYERS Ass Engr

EXECUTIVE OFFICE August 1st 1839

Board met present
His Exclty Edwd. B. Dudley Prest ex officio
D. W. Stone & Charles Manly Esquires.

Ordered that the following notes be handed to Henry
Notes to besued on. W. Miller Esqr to be put in suit & collected forthwith--Viz.

T. L. Cowan & others	Note for	\$50,000
J. Beard Jr.	" " "	\$ 2,000
Jno. Beckwith	" " "	\$ 2,000
Wm. Roles	" " "	\$ 1,000
Jno. Sugg	" " "	\$ 200
Total		\$55,200

Mr. Myers estimate of work done by Messrs. Everitt to 20th July 1839 amounting to \$1056-00 after deducting the 25 per cent leaving \$792.30-100 was ordered to be paid & forwarded to Messrs. Everett & Board adjourned.

STATE OF NORTH CAROLINA.

To the Public Treasurer

Payment for work on canal.

\$792 30-100 Pay to C. C. Battle \$792 30-100 to be remitted to Messrs. S. & E. Everett estimate of work on Pungo Lake and River Canal to 20th July Ult. & this shall be your warrant. Given under my hand as Prest ex officio Board of the Literary Fund of No Ca, This the 10th August 1839

EDWARD B. DUDLEY

Prest ex officio

STATE OF NORTH CAROLINA.

To the Public Treasurer

\$10,000 Pay to George W. Mordecai President Raleigh & Gaston Rail Road Company Ten Thousand Dollars being amount of Bonds of sd Company purchased by the Board of the Literary Fund & this shall be your warrant. Given under my hand as Prest. ex officio. August 9th 1839

Bonds of Raleigh & Gaston Railroad.
E. B. DUDLEY Prest ex officio

EXECUTIVE OFFICE August 10th 1839

Board met Present

His Exclty Edwd B. Dudley Prest ex officio

D. W. Stone & Chas. Manly Esqrs

The following Notes were renewed the secty directed to settle up to this day.

No. 48.

C. C. BATTLE—Secty.

Warrant No. 285 was drawn in my favor to defray expenses this day inclusive & settled as follows—

Edwd. B. Dudley, Prest.	17 days @ \$3	\$51	Expenses of Board.
D. W. Stone,	17 days @ \$3	\$51	
C. Manly	17 days @ \$3	\$51	
C. C. Battle—Sec	17 days @ \$3	\$51	

Total \$204

Receipts from C. L. Hinton Pub Treasurer on file dated August 14th 1839—viz—

Principal returned on Loans	\$8,658.95-100
Interest Paid	\$1,505.70-100

Total \$10,164.65-100

Filed with the other vouchers of the Board Lit Fund on August 14th 1839—

C. C. BATTLE Secty.

STATE OF NORTH CAROLINA

To the Public Treasurer

Bonds Raleigh &
Gaston Railroad.

This will inform you that the Loan made by the President & Directors of the Board of the Literary Fund of North Carolina of Fifty Thousand Dollars to the President & Directors of the Raleigh & Gaston Rail Road Company on the 10th Oct. 1838 was on the 16th day of March 1839 cancelled, the same Board having purchased by order of the 15th March an amount of Bonds of said Company endorsed by the State equal to said Fifty Thousand Dollars. Given under my hands as Prest ex officio. August 14th 1839

C. C. BATTLE Secty.

EDWD. B. DUDLEY.

ALLIGATOR CANAL August 8th 1839

Lee canal contract.

DEAR SIR: Your favor communicating the decision of the Board respecting the Alligator Canal has been duly received. Major Gwynn informs me he concluded a contract with Capt. Lee a few days before he received the proposals transmitted to him at N. York, one of them was at 17 cents per cube yd Capt. Lee has contracted to complete the canal by next october twelve months at 18 cts per yd independent of clearing. We will commence about the 1st of Sept. Capt. Lee is entitled by agreement to the whole canal and would not be willing to give up the 1st mile to Mr. Carter, since he would lose the most profitable portion of the work and be subjected to considerable delay. It would be impossible to commence on the 2nd mile until a portion of the first was completed. Since the reduction in the size of the canal then would be about \$500 as saved by giving the first mile to Mr. Carter, but it is highly probable the Board would lose more than that amount in consequence of the delay they would be subjected to by him. Mr. Myers & myself will start in a few days for Jones & Tyrrell counties to gather all the information in our power I received the check for \$800 sent by Mr. Battle. It is

very probable both of the canals will be completed early next year. I am delighted at the prospect of constant occupation; it will serve to dispell the monotony of our situation.

With my best regards for your family

I am yours most respectfully

His Excy E. B. DUDLEY.

WM. P. MUMFORD.

THE STATE OF NORTH CAROLINA

SIR. Please pay to the order of Edwd. H. Wingate Bank stock.
Cashier Two thousand three hundred dollars first instalment of One hundred & fifteen shares of stock in the Bank of Cape Fear, being the number to which the subscription made by the President & Directors of the literary fund of North Carolina for stock on the 24th June last has been Scaled, as reported by the Cashier of said Bank & this shall be your warrant for the Same given under my hand this 22nd August 1839

\$2,300

EDWD B. DUDLEY

Pr. ex officio Board L. Fund

August 20, 1839.

The President & Directors of the Literary fund met this day.

Present Edwd. B. Dudley ex officio Prest.

C. Manly

D. W. Stone

When it was agreed by the Board to substitute the note Notes renewed. of Mr. Barbee & others for \$1600 in the place of Col Holland's note (failed). Same amount. Sundry notes were renewed. The Board adjourned.

C. C. BATTLE Secretary.

THE STATE OF NORTH CAROLINA

To the Public Treasurer

SIR Please pay to my order twenty thousand dollars Bonds Wilmington & Raleigh Railroad

from the funds of the President & Directors of the literary fund of NO. Carolina ordered by the Board to be invested in the Bonds of the Wilmington & Raleigh Rail Road Company which having been accordingly affected & now in the possession of the Board will enable me to remit the same to the company, and this shall be your warrant for the same

Given under my hand this the 27th Augt of August A. D. 1839

\$20,000

E. B. DUDLEY

Prest. ex officio Board Literary Fund

OFFICE OF WIL. & RAL. R. ROAD CO.

24th August 1839

Wilmington and
Raleigh Railroad
asks to borrow
money.

MY DEAR SIR, You will receive herewith three Bonds of the Company for 17000 dollars, the amount which you state the Board will be able to lend us upon the receipt of the Bonds We will be glad to receive the money as soon as convenient, as we hope to receive invoices & our contractors draw heavily upon us at the beginning of each month.

We find it extremely difficult at this season of the year to collect from our Stockholders, who will not be able to pay until the present crop is sold. We shall therefore have to rely on aid from your Board to pay mainly for the iron, any heavy demands which may shortly come against us. The iron will cost us something over \$40,000 including spikes, &c. Very respectfully &c.

JAS. OWEN.

His Excy. EDWD. B. DUDLEY Prest &c.

OFFICE BANK OF CAPE FEAR

RALEIGH 28th August 1839.

Deposited in this office by Edwd. B. Dudley Prest. ex officio &c. seventeen thousand dollars to the credit of the Bank of Cape Fear for the benefit of the Wilmington & Raleigh Rail Road Company.

\$17,000.

E. H. WINGATE Cashr.

EXECUTIVE OFFICE August 28th 1839.

DEAR SIR: Your favor of 24th inst. covering the Bonds of the Wilmington & Raleigh R. R. Company for seventeen thousand dollars came to hand last evening & above I hand you a deposit check for the same amount in the branch of the Bank of Cape Fear at this place to the credit said company.

Aid to Wilmington & Raleigh Railroad promised.

The Sheriffs are now paying in the taxes daily & will no doubt soon releave the funds of the Literary fund from the use of the Treasurer & enable us to negotiate for more of your bonds in some short time which shall surely be done to the extent of our ability. I am very respectfully

Yours obt. Servant,

EDWD. B. DUDLEY Pres. Ex. off.

Genl. J. OWEN Prest. Wilmington & R. R. C.

STATE OF NORTH CAROLINA

To the Public Treasurer.

SIR:—Please pay to the order of George W. Mordecai Esqr. from the funds of the President & Directors of the Literary Fund of North Carolina, Fifteen Thousand Dollars invested by order of the Board in the Bonds of the Raleigh & Gaston Rail Road Company at par & this shall be your warrant for the same.

Bonds of Raleigh & Gaston Railroad.

Given under my hand this the 2nd September 1839

\$15,000.

EDWD. B. DUDLEY Prest ex officio

Estimate of the quantity and value of work performed by Messrs. S. & E. Everitt from the 20th July to 2nd September 1839, on the Pungo Lake Canal & Pungo River Canal.

Work on canal.

8000 cubic yds excavation @ 15 ct. \$1200

deduct 25 p ct. 300

\$900

Newbern 7th Sept. 1839.

R. L. MYERS Asst. Engr.

Mr. C. C. Battle Secty to the Board of the Literary Fund

DEAR SIR, Annexed I hand you an estimate of work performed on the Pungo Canal to the 2nd September net amount \$900. for which please send to Messrs. E. a check to Washington.

Mr. Mumford & myself are here on our way to Carterett & Craven lands.

Having built a bridge across Pungo River by Major Gwynn's direction I shall want about the first \$1500 including the usual quarterly remittance.

By the first opportunity that offers I shall send the Board a map of the Hyde & Terrell county lands.

Very respectfully Yr.

R. L. MYERS Asst. Engr.

Sept. 13, 1839.

The Board of the Literary Fund met this day,

Present. Gov. Dudley

Mr. Manly

Mr. Stone.

Payment for canal
work.

When a letter was read of Mr. Myers asst. Engr. stating that \$900 were due to Messrs. Everett for work done on the Pungo Canal and that about \$1500 to pay for the building a Bridge over Pungo River & the usual amount to meet the surveys &c, would be required about the 1st Oct.

Whereupon it was Resolved that the President remit the proper amount to the Messrs. Everitt & two thousand dollars to Messrs. Myers & Mumford.

The Board adjourned.

C. C. BATTLE Secty.

THE STATE OF NORTH CAROLINA

Public Treasurer

SIR: Please pay to my order Nine hundred dollars to enable me to remit that amount to the Messrs. Everitts Contractors to excavate the Pungo Canal, for work done on

the same as pr report of R. L. Myers Asst. Engr. from the appropriations for draining the Swamp lands & this shall be your warrant for the Same.

Given under my hand this 16th. Sept. 1839.

\$900

E. B. DUDLEY

Prest. ex offio. Li. Fund.

EX. OFFICE RALEIGH Sept. 8, 1839

GENTLEMEN: At the request of Mr. R. L. Myers, asst Engineer hand you here with a check to your favour for Nine hundred dollars being the $\frac{3}{4}$ of work done on the Pungo Canal up to the first instant agreeable to report of Mr. Myers. You will acknowledge the receipt & also that of a previous check sent you for work on sd. Canals.

I am very respectfully Yr. Obt

E. B. DUDLEY Prest ex offio.

Messrs. S. & E. EVERITT Washington Beaufort.

STATE OF NORTH CAROLINA

To the Public Treasurer

Pay to the order of C. C. Battle Two thousand Dollars to be remitted to Mr. R. L. Myers Engineer on Pungo Lake Canal out of the appropriation to drain the Swamp Land in this State & this shall be your Warrant. Given under my hand as Prest os officio of the Board Lit Fund Sept. 26th 1839

Check to Myers for bridge and work.

\$2,000.

EDWD. B. DUDLEY

STATE OF NORTH CAROLINA

To the Public Treasurer

\$10,000 Pay to George W. Mordecai President of the Raleigh & Gaston Rail Road Company Ten Thousand Dollars being amount of Bond of said Company purchased at par by the Board of the Literary Fund of No. Ca. & this shall be your Warrant.

Bonds Raleigh & Gaston Railroad.

Given under my hand as President ex officio of sd. Board This the 1st day of October 1839

C. C. BATTLE *Secty.*

EDWD. B. DUDLEY.

PROCEEDINGS OF LITERARY BOARD.

EXECUTIVE OFFICE NO. CA.

October 12th 1839

Board met Present

This Excl^y Edwd. B. Dudley Prest ex officio,

D. W. Stone & Charles Manly Esquires

Notes renewed.

The following notes were presented & renewed—Nos. 6
—18—19—20 & Board adjourned.

C. C. BATTLE Secty.

EXECUTIVE OFFICE No CA

October 14th 1839

Board met Present

His Excl^y Edwd. B. Dudley Prest ex officio—

D. W. Stone Esqr & Charles Manly Esqr.

Notes renewed.

The following notes were then renewed—Nos. 22, 29—
36 & 27 & the Board adjourned.

C. C. BATTLE Secretary.

EXECUTIVE OFFICE No CA

October 15th 1839

Board Met Present

His Excl^y Edwd. B. Dudley Prest ex officio—

D. W. Stone & Chas. Manly Esquires

Notes renewed.

The following Note was renewed & the Board adjourned
No. 32.

C. C. BATTLE Secretary.

EXECUTIVE OFFICE No CA

October 16th 1839

Board met Present

His Excl^y. Edwd. B. Dudley Prest ex officio

D. W. Stone & C. Manly Esqrs.

Notes renewed.

The following notes were renewed—Nos. 5 & 37—Board
adjourned.

C. C. BATTLE Secty.

EXECUTIVE OFFICE No Ca

Oct. 17th 1839

Board met Present

His Exclý Edwd. B. Dudley Prest ex officio

D. W. Stone & Charles Manly Esquires.

The following notes were renewed—Nos. 10 & 12 Board Notes renewed.
adjourned untill 8 oclock tomorrow

C. C. BATTLE Secretary.

EXECUTIVE OFFICE No Ca

Oct 18th 1839

Board met present

His Exclý Edwd. B. Dudley Prest ex officio

D. W. Stone & Charles Manly Esquires—

There being no business the Board adjourned till 8 No business.
oclock tomorrow

C. C. BATTLE Secty.

EXECUTIVE OFFICE No Ca

Oct. 19th 1839

Board met present

His Exclý Edwd. B. Dudley, Prest ex officio—

D. W. Stone & Charles Manly Esquires—

There being no business the Board adjourned untill 8 No business.
oclock Monday.

C. C. BATTLE

Secretary.

EXECUTIVE OFFICE No Ca

Oct 21st 1839

Board met Present

His Exclý Edwd. B. Dudley Prest ex officio

D. W. Stone & Charles Manly Esquires—

There being no business the Board adjourned till to- No business.
morrow morning 8 oclock.

C. C. BATTLE Secretary.

PROCEEDINGS OF LITERARY BOARD.

EXECUTIVE OFFICE No. CA. Oct. 22nd 1839

Board met Present

His Excellency Edwd B. Dudley Prest ex officio

D. W. Stone & Charles Manly Esquires

No business

There being no business the Board adjourned till to-morrow 8 oclock.

C. C. BATTLE, Secretary.

EXECUTIVE OFFICE No. CA. Oct. 23rd 1839

Board met present

His Excellency Edwd. B. Dudley Prest ex officio

D. W. Stone & Charles Manly Esquires

Note renewed.

Note No. 6 renewed & Board adjourned till 8 oclock Tomorrow.

C. C. BATTLE, Secretary.

EXECUTIVE OFFICE No. CA. Oct. 24th 1839

Board met present

His Excellency Edward B. Dudley Prest ex officio,

D. W. Stone & Charles Manly Esquires

No business.

There being no business the Board adjourned till to-morrow 8 oclock.

C. C. BATTLE Secretary.

EXECUTIVE OFFICE N. CA. Oct. 25th 1839

Board met Present

His Excellency Edwd. B. Dudley Prest ex officio

D. W. Stone & Charles Manly Esquires

Note renewed.

No. 11 was renewed & the Board adjourned till 8 oclock tomorrow.

C. C. BATTLE Secretary.

EXECUTIVE OFFICE Oct. 26th 1839.

Board met present

His Exely. Edwd B. Dudley Prest ex officio—

D. W. Stone & Charles Manly Esqr

No business.

There being no business the Board adjourned till 8 oclock Monday.

C. C. BATTLE Secty.

EXECUTIVE OFFICE Oct. 28th 1839

Board met Present

His Excellency Edwd B. Dudley, Prest ex officio

D. W. Stone & Charles Manly Esquires

Ordered that the Secretary exact interest on the instal-^{Installment on}ments called on for such time as they may be held over the^{loans.} day on which they fall due. There being no further business the Board adjourned till 8 oclock tomorrow morning.

C. C. BATTLE, Secretary.

EXECUTIVE OFFICE Oct. 29th 1839

Board met Present

His Excellency Edwd. B. Dudley Prest. ex officio—

D. W. Stone & Charles Manly Esquires

There being no business the Board adjourned till 8^{No business.} oclock tomorrow.

C. C. BATTLE Secretary.

EXECUTIVE OFFICE Oct. 30th 1839

Board met Present

His Excellency Edwd. B. Dudley Prest ex officio

D. W. Stone & Charles Manly Esquires

Note No. 34 was renewed when there being no further^{Note renewed.} business Board adjourned till 8½ oclock tomorrow.

C. C. BATTLE Secretary.

EXECUTIVE OFFICE Oct. 31st 1839

Board met present

His Excellency Edwd. B. Dudley Prest ex officio

D. W. Stone & Chas. Manly Esquires

There being no business before the Board it adjourned^{No business.} till 8½ oclock tomorrow.

C. C. BATTLE Secretary.

EXECUTIVE OFFICE Nov. 1st 1839

Board Met present

His Excellency Edwd. B. Dudley Prest ex officio

D. W. Stone & Charles Manly Esquires

Notes renewed.

Notes Nos. 13—30—33—& 49—were renewed & the Board adjourned till 9 o'clock tomorrow.

C. C. BATTLE Secretary

STATE OF NORTH CAROLINA

\$40,000

To the Public Treasurer.

Bonds Wilmington
& Raleigh Railroad

Pay to the Wilmington & Raleigh Rail Road Company or order Forty Thousand dollars—which Sum has been invested in the like amount of Bonds of said Company agreeably to an order of the Board of the Literary Fund of North Carolina, from the funds of said Board & this shall be your warrant.

Given under my hand as President ex officio of the Board of the Literary Fund of North Carolina this the 15th day of October, 1839.

C. C. BATTLE Secty.

EDWD. B. DUDLEY.

The following is the list of Bonds of the Wilmington & Raleigh Rail Road Company for Ten Thousand Dollars each dated Oct. 15th 1839 made payable to the President & Directors of the Literary Fund of North Carolina or order at the Branch of the Bank of Cape Fear at Raleigh & signed by James Green Treasurer & Jas. Owen President (viz) Nos. 5—6—7—& 8 specially deposited in the Vault of the Treasury Office of No. Ca.

C. C. BATTLE Secretary to Board.

EXECUTIVE OFFICE NOV. 2nd 1839

Board met Present

His Excellency Edwd. B. Dudley Prest ex officio

D. W. Stone & Charles Manly Esquires—

No business.

There being no notes offered for renewal the Board adjourned.

C. C. BATTLE Secretary.

EXECUTIVE OFFICE Novbr. 6th 1839

Board met Present.

His Exclty. Edwd. B. Dudley, Prest ex officio

D. W. Stone & Charles Manly Esquires

There being notes Nos. 35 & 62 offered they were re- Notes renewed.
newed & the Board adjourned.

C. C. BATTLE Secretary.

EXECUTIVE OFFICE Nov. 7th 1839

Board met present

His Excellency Edwd. B. Dudley Prest ex officio—

D. W. Stone & Charles Manly Esquires

Nos. 17 & 41 were renewed & the Board adjourned. Notes renewed.

C. C. BATTLE Secretary

EXECUTIVE OFFICE Nov. 14th 1839

Board met present

His Excellency Edwd. B. Dudley Prest ex officio

D. W. Stone & Charles Manly Esquires

Nos. 48—61 were renewed & the Board adjourned. Notes renewed.

C. C. BATTLE Secretary.

EXECUTIVE OFFICE Nov. 18th 1839

Board met Present

His Excellency Edwd. B. Dudley Prest ex officio

D. W. Stone & Charles Manly Esquires

The Secretary presented the application of Messrs. Bel- No more loans; re-
den to borrow money & was directed to answer in return port from engineer.
that the funds of the Board had been appropriated—also
a letter from R. L. Myers accompanied by the last quarter
statement & account of operations on the two canals in
Hyde & an epitome of a survey by himself & Mr. Mumford
in Carteret & Craven & mentioned the purchase of a horse
& wagon at \$242 which at the suggestion of Majr. Gwynn
he recommended the Board to take to facilitate operations
at a distance from the main canals. All of which the

Board agreed to No. 31 was renewed & the Board adjourned.
C. C. BATTLE Secretary.

Warrant No. 308 was drawn in my favor (See Warrant Book) for \$300 paid the members as follows this day inclusive—

Expenses of Board.

E. B. Dudley Prest ex of.	25 days at \$3.	
	per day	\$75
D. W. Stone Member	25 days @ \$3. per day	\$75
C. Manly Member	25 days @ \$3. per day	\$75
C. C. Battle Secretary	25 days @ \$3. per day	\$75.
	day	
Total.....		\$300.

C. C. BATTLE Secretary.

STATE OF NORTH CAROLINA

\$4600. To the Public Treasurer.

Bank stock.

Pay to Edwd. H. Wingate Cashier Four Thousand Six Hundred Dollars—Second & third Instalments of one hundred and fifteen Shares of Stock in the Bank of Cape Fear being the number to which the Subscription, made by the President & Directors of the Literary fund of North Carolina for stock on the 24th June last has been scaled as reported by the Cashier of said Bank & this shall be your warrant.

Given under my hand this the 11th
day Decbr 1839

EDWD. B. DUDLEY Prest ex officio

C. C. BATTLE

Board Lit Fund of No Ca.

Secty.

EXECUTIVE OFFICE

December 16, 1839

Receipts for
money.

Paid into the Public Treasury the following amounts of money received on account of the principal & interest

of bonds collected belonging to the literary fund. Principal 5667 interest $3788 \frac{44}{100} = \$9,455.44$ as per Treasurers receipts of which the following are copies on file in this office Viz

TREASURY OFFICE

\$5667

Dec, 16, 1839.

Recd of C. C. Battle Secty to the Board of Literature, Five Thousand Six Hundred & Sixty Seven dollars it being amount of principal on bonds collected by said Board, for which I have given duplicate receipts of the same tenor & date.

C. L. HINTON, Pub. Treas.

TREASURY OFFICE

\$3,788 $\frac{44}{100}$.

Dec. 16, 1839

Recd. of C. C. Battle Secretary to the Board of Literature Three thousand Seven hundred & eighty eight dollars & forty four cents, it being amount of interest collected on bonds due said Board for which I have given duplicate receipts of the same tenor & date.

C. L. HINTON, Pub Treas.

EXECUTIVE OFFICE

Raleigh December 17—1839

State of North Carolina

To the Public Treasurer

Sir

Pay to the order of A. J. Battle Esqr Six hundred Dollars to enable me to remit to Mr. Wm. P. Mumford assistant Engineer to meet expenses of survey and examination of Swamp lands agreeably to an act of the General Assembly on that subject, from the funds of the Literary Board, and this shall be your warrant for the same.

Swamp land bill
paid.

Given under my hand as President ex officio of the Board of the Literary fund.

EDWD. B. DUDLEY

EXECUTIVE OFFICE

December 17th 1839

Dear Sir

Your account has been received & placed on file in this office. Agreeably to your requisition I hand you Mr. Wingate's Cashier's check on the branch of the Bank of Cape Fear at Washington for Six hundred Dollars to meet your expenses to the 1st Jany. 1840.

I am very respectfully

Yours Obt. St

EDWD. B. DUDLEY

Mr. Wm P. Mumford

Pres Ex Offo

Assistant Engr.

Washington N. C.

—*MS. Records Literary Board.*

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NOTE.—On page 116, the reference which reads "Vol. XIII" should read "Vol. VIII."

On page xxviii the word "law" in reference to Martin's school bill is inaccurate. I do not wish to leave the impression that the *bill* became a law. I regret these inaccuracies.—C. L. C.

